



NOTICE AND AGENDA FOR REGULAR MEETING

DATE/TIME: Wednesday, February 12, 2014, 1:30 PM

PLACE: Board of Supervisors Chambers
651 Pine Street, Martinez, CA 94553

NOTICE IS HEREBY GIVEN that the Commission will hear and consider oral or written testimony presented by any affected agency or any interested person who wishes to appear. Proponents and opponents, or their representatives, are expected to attend the hearings. From time to time, the Chair may announce time limits and direct the focus of public comment for any given proposal.

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by LAFCO to a majority of the members of the Commission less than 72 hours prior to that meeting will be available for public inspection in the office at 651 Pine Street, Six Floor, Martinez, CA, during normal business hours as well as at the LAFCO meeting.

All matters listed under CONSENT ITEMS are considered by the Commission to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a member of the Commission or a member of the public prior to the time the Commission votes on the motion to adopt.

For agenda items not requiring a formal public hearing, the Chair will ask for public comments. For formal public hearings the Chair will announce the opening and closing of the public hearing.

If you wish to speak, please complete a speaker's card and approach the podium; speak clearly into the microphone, start by stating your name and address for the record.

Campaign Contribution Disclosure

If you are an applicant or an agent of an applicant on a matter to be heard by the Commission, and if you have made campaign contributions totaling \$250 or more to any Commissioner in the past 12 months, Government Code Section 84308 requires that you disclose the fact, either orally or in writing, for the official record of the proceedings.

Notice of Intent to Waive Protest Proceedings

In the case of annexations and detachments it is the intent of the Commission to waive subsequent protest and election proceedings provided that all of the owners of land located within the proposal area have consented and those agencies whose boundaries would be changed have consented to the waiver of protest proceedings.

American Disabilities Act Compliance

LAFCO will provide reasonable accommodations for persons with disabilities planning to attend meetings who contact the LAFCO office at least 24 hours before the meeting, at 925-335-1094. An assistive listening device is available upon advance request.

As a courtesy, please silence your cell phones during the meeting.

FEBRUARY 12, 2014 CONTRA COSTA LAFCO AGENDA

1. Call to Order and Pledge of Allegiance
2. Roll Call
3. Adoption of Agenda
4. Public Comment Period (please observe a three-minute time limit):

Members of the public are invited to address the Commission regarding any item that is not scheduled for discussion as part of this Agenda. No action will be taken by the Commission at this meeting as a result of items presented at this time.
5. Approval of Minutes for the January 8, 2014 regular LAFCO meeting

SPHERE OF INFLUENCE/BOUNDARY CHANGES

6. ***LAFCO 13-03 – Rodeo Marina Annexation to Rodeo Sanitary District*** – On January 8, 2014, LAFCO approved a proposal to annex 16.7± acres (three parcels) located along the northwestern edge of Rodeo where it meets the San Pablo Bay. On February 10, 2014, a protest hearing was held. On February 12, 2014, the Commission will receive the results of the protest hearing.
7. ***LAFCO 07-17 – PG&E Reorganization (Area 1): Annexations to the City of Antioch and Delta Diablo Sanitation District (DDSD) and Detachments from County Service Areas (CSAs) L-100 and P-6*** – On January 8, 2014, LAFCO approved a reorganization proposal involving 481± acres (numerous parcels) located north and south of Wilbur Avenue, bounded by the San Joaquin River to the north, Highway 160 to the east, and the City of Antioch to the south and west. On February 10, 2014, a protest hearing was held. On February 12, 2014, the Commission will receive the results of the protest hearing.
8. ***LAFCO 13-08 – Northeast Antioch Reorganization (Area 2A): Annexations to the City of Antioch and DDSD and Detachment from CSA P-6*** – Consider reorganization proposal of 116± acres (19 parcels) located immediately west of State Route 160 and the Antioch Bridge; and consider related actions under the California Environmental Quality Act (CEQA). ***Public Hearing***

BUSINESS ITEMS

9. ***Second Quarter FY 2013-14 Budget Report*** – Receive FY 2013-14 second quarter budget report.
10. ***Fiscal Year 2014-15 Budget/Work Plan Schedule*** - Receive FY 2014-15 proposed budget/work plan schedule and provide input.
11. ***Update on Contra Costa County's Fire Service Study*** - Receive update on the County's fire study.

CORRESPONDENCE

12. Correspondence from Contra Costa County Employees' Retirement Association (CCCERA)

INFORMATIONAL ITEMS

13. Commissioner Comments and Announcements
14. Staff Announcements
 - CALAFCO Updates
 - Pending Projects
 - Newspaper Articles

CLOSED SESSION

PUBLIC EMPLOYEE ANNUAL PERFORMANCE REVIEW – Title: Executive Officer

ADJOURNMENT

Next regular LAFCO meeting – March 12, 2014 at 1:30 p.m.

LAFCO STAFF REPORTS AVAILABLE AT http://www.contracostalafco.org/meeting_archive.htm

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
MINUTES OF MEETING

January 8, 2014

February 12, 2014
Agenda Item 5

Board of Supervisors Chambers
Martinez, CA

1. Chair Federal Glover called the meeting to order at 1:30 p.m.

2. The Pledge of Allegiance was recited.

3. Roll was called. A quorum was present of the following Commissioners:

City Members Rob Schroder and Don Tatzin, and Alternate Tom Butt.

County Members Federal Glover and Mary Piepho, and Alternate Candace Andersen.

Special District Members Michael McGill and Dwight Meadows, and Alternate George Schmidt.

Public Members Don Blubaugh and Alternate Sharon Burke.

Present were Executive Officer Lou Ann Texeira, Legal Counsel Sharon Anderson, LAFCO Planner Nat Taylor, and Clerk Kate Sibley.

4. Approval of the Agenda

Upon motion of Tatzin, second by Piepho, Commissioners unanimously adopted the agenda.

AYES: Blubaugh, Glover, McGill, Meadows, Piepho, Schroder, Tatzin

NOES: none

ABSENT: none

ABSTAIN: none

5. Selection of Chair and Vice Chair

Upon motion of Blubaugh, second by McGill, Commissioners unanimously appointed Commissioner Dwight Meadows as Chair for 2014.

AYES: Blubaugh, Glover, McGill, Meadows, Piepho, Schroder, Tatzin

NOES: none

ABSENT: none

ABSTAIN: none

Upon motion of Piepho, second by Tatzin, Commissioners unanimously appointed Commissioner Rob Schroder as Vice Chair for 2014.

AYES: Blubaugh, Glover, McGill, Meadows, Piepho, Schroder, Tatzin

NOES: none

ABSENT: none

ABSTAIN: none

Commissioner Meadows took his seat as Chair and presented a resolution of appreciation to Commissioner Glover.

6. Public Comments

There were no public comments.

DRAFT

7. Approval of December 11, 2013 Meeting Minutes

Upon motion of Piepho, second by Tatzin, the minutes for the meeting of December 11, 2013 were approved unanimously.

8. LAFCO 13-07 – Annexation 184 to Central Contra Costa Sanitary District (CCCSD)

The Executive Officer reported that, as directed by the Commission, a protest hearing was held on December 18, 2013 to receive written protests from affected landowners regarding the proposal and determine whether a requisite protest exists. No written protests were filed against this annexation; consequently, it is ordered.

Upon motion of Blubaugh, second by McGill, Commissioners unanimously adopted the determination and ordered the reorganization.

AYES: Blubaugh, Glover, McGill, Meadows, Piepho, Schroder, Tatzin

NOES: none

ABSENT: none

ABSTAIN: none

9. LAFCO 13-03 – Rodeo Marina Annexation to Rodeo Sanitary District (RSD)

The Executive Officer provided an overview of a proposal filed by RSD to annex three parcels in unincorporated Rodeo to facilitate the extension of sewer services to the marina area, which houses one residential property and several businesses including a marine engine repair shop, boat storage and a restaurant/bar; a public recreational/trail area (Lone Tree Park) owned by EBRPD; and a narrow strip of land south of the railroad tracks which serves as a parking and staging area for the park. The district does not require connection upon annexation.

The public hearing was opened and, with no public comments, closed.

Upon motion of Glover, second by Piepho, the Commission unanimously certified that it reviewed and considered the information contained in the EIR and CEQA documentation; approved the proposal to be known as Rodeo Marina Annexation to RSD, with specified conditions; determined that the territory being annexed is liable for the continuation of taxes, assessments and charges; found that the subject territory is uninhabited, has less than 100% consent of the affected landowners, is subject to a protest hearing; and authorized staff to conduct the protest proceedings.

AYES: Blubaugh, Glover, McGill, Meadows, Piepho, Schroder, Tatzin

NOES: none

ABSENT: none

ABSTAIN: none

10. LAFCO 07-17 – PG&E Reorganization: Annexations to the City of Antioch and Delta Diablo Sanitation District (DDSD) and Detachments from County Service Areas (CSAs) L-100 and P-6

The Executive Officer provided an overview of a proposal filed by the City of Antioch to annex 481± acres to both the City and DDSD, to provide municipal services to a largely industrial waterfront unincorporated area. This area would be simultaneously detached from CSAs L-100 and P-6. This area is part of the City's Eastern Waterfront Employment Focus Area, is presently over 50% developed, and a portion of the area was previously approved by LAFCO to receive out of agency service predicated on subsequent annexation.

Mayor Wade Harper of the City of Antioch spoke in support of the proposal, stating that it is a great day for the City and thanking all who have been involved in making it happen.

Victor Carniglia confirmed that City staff have reviewed the staff report and agree with all conditions therein. He also confirmed, in response to a question from the Chair, that the Forestar issue has been resolved.

The Chair opened the public hearing.

Scott Jenny, attorney for residents John C. Mitosinka and Carey Mitosinka, spoke in objection to both this proposal and LAFCO 12-07 (NE Antioch Reorganization Area 2B). His clients want a protest procedure and vote on the matter, and Mr. Jenny urged Commissioners to rethink this matter.

Ken Wentworth, resident of unincorporated Antioch, objected to this proposal as well as LAFCO 12-07.

Carey Mitosinka, resident of unincorporated Antioch, objected based on changes he believes will be imposed on his and his neighbors' properties, many of which are agricultural.

Commissioner Piepho pointed out that a letter from the City of Antioch, made available at the meeting, outlines the action the City has taken in conjunction with the reorganization and commits the City to allow all existing agricultural uses to remain in place.

The public hearing was closed.

Upon motion of Glover, second by McGill, Commissioners unanimously certified that it reviewed and considered the information contained in the CEQA documentation; approved the proposal to be known as PG&E Reorganization (Area 1): Annexations to the City of Antioch and DDS and Detachments from CSAs L-100 and P-6, with specified conditions, including that this annexation shall be conditioned on the annexation of Area 2B; determined that the territory being annexed is liable for the continuation of taxes, assessments and charges; found that the subject territory is uninhabited, has less than 100% consent of the affected landowners, is subject to a protest hearing; and authorized staff to conduct the protest proceedings.

AYES: Blubaugh, Glover, McGill, Meadows, Piepho, Schroder, Tatzin

NOES: none

ABSENT: none

ABSTAIN: none

11. LAFCO 12-07 – Northeast Antioch Reorganization (Area 2B): Annexations to the City of Antioch and DDS and Detachments from CSAs L-100 and P-6

The Executive Officer provided an overview of a proposal filed by the City of Antioch to annex 103± acres to both the City and DDS, to provide municipal services to an area that is primarily residential with limited commercial, industrial, and agricultural uses. The City has rezoned Area 2B as a study district, which will grandfather in the existing uses and allow the City to develop a land use category that best fits the area. This area would be simultaneously detached from CSAs L-100 and P-6. Area 2B is characterized as an older residential area, with nearly all of the dwelling units relying on onsite well and septic systems. The County EH Dept reports that few if any of these onsite systems meet minimum separation requirements and other environmental standards. There is a need for municipal sewer and water service to the area.

The City and County have entered into a Joint Powers Agreement for funding future water, sewer, and storm drain infrastructure improvements in Area 2B to enhance the infrastructure in the area and address public health and safety issues. The JPA addresses funding, plan review and building inspection services, and provides details regarding infrastructure improvements.

Staff provided background on the criteria for designating an area an island subject to LAFCO law encouraging annexation of small islands to cities with a streamlined process. This LAFCO's policy concludes that Area 2B meets the criteria set forth in LAFCO law regarding islands, as it is less than 150 acres in size and 93% surrounded by the City of Antioch. Further, that although Area 2B is narrowly connected to Area 1, it meets the criteria contained in the local LAFCO policy in that the land uses, topography, geography, and infrastructure are significantly different in the two areas, and that Area 2B is not an integral or essential part of Area 1.

Commissioner Piepho asked Victor Carniglia, representing the City of Antioch, to explain the City's municipal code in relation to current land uses in Area 2B. Mr. Carniglia replied that the municipal code must be changed to accommodate current uses. Such changes have been formally approved by the City in its rezoning ordinance, which has created a "Study District" specific to this area, allowing it to develop appropriate zoning designation(s) to apply to Area 2B.

In response to another question, Mr. Carniglia reported that Area 2B provides the City with a good opportunity for securing grants supporting infrastructure development, but if grants are not forthcoming, the City will triage and look at a staged plan for sewer and water infrastructure.

The Chair opened the public hearing.

Scott Jenny, attorney for residents John C. Mitosinka and Carey Mitosinka, asked that his former comments be incorporated in this protest. He spoke in objection to both this proposal and LAFCO 07-17 (PG&E Reorganization [Area 1]). His clients want a protest procedure and vote on the matter, and Mr. Jenny urged Commissioners to rethink this matter. He believes this area is not a small island and therefore is subject to protest proceedings.

Commissioner McGill asked Mr. Jenny why he believes this is not an island; Mr. Jenny replied that it is connected to Area 1 and therefore not a small island.

Ken Wentworth spoke in objection to this item. He commented that the City has tried to annex this area before, and LAFCO has always insisted that it be brought to a vote but now it is being treated differently.

Johnny Ray, resident, submitted a letter of protest.

In response to Commissioner Piepho's question, Mayor Harper replied that the zoning terms have been discussed and formally and unanimously approved at the City's August 13 meeting.

Carey Mitosinka, resident, protested this item, and expressed concern that he would like to see in writing that the City will do all it is saying it will do. He was assured that the City's August 13 meeting was an official public record of the City's intent.

Tony Tiscareno, City of Antioch Council Member, stated that the City's meeting minutes are tantamount to their signatures. The Council has made its commitment.

Victor Carniglia reiterated that the points of the document made available at the LAFCO meeting are part of the rezoning ordinance approved August 13. He added that the City cannot and will not do anything to the private streets in Area 2B; they are private property.

Commissioner Piepho asked that the City Zoning Ordinance be made a part of LAFCO's public record for this proposal.

The public hearing was closed.

The Executive Officer pointed out that there are fiscal issues related to Areas 1 and 2B, which is the reason for their being linked. Further, that the City and County requested this condition.

Commissioner Piepho asked that the conditions of approval and the January 6 agreement between the City and the County be included in the record.

The Chair congratulated all parties on bringing this long-term issue forward.

Upon motion of Glover, second by McGill, the Commission unanimously certified that it reviewed and considered the information contained in the environmental documents; approved the proposal to be known as Northeast Antioch Reorganization (Area 2B): Annexations to the City of Antioch and DDS and Detachments from CSAs L-100 and P-6, with specified conditions, including that this annexation shall be conditioned on the annexation of Area 1; determined that the territory being annexed is liable for the continuation of taxes, assessments and charges; found that the subject territory meets the requirements of the small island annexation provisions (GC §56375.3), as it is less than 150 acres and is substantially surrounded by the City of Antioch, that pursuant to Contra Costa LAFCO policies Area 2B constitutes an entire unincorporated island and is not an integral or essential part of a large island; that protest proceedings are hereby waived, and directed staff to complete the proceeding.

AYES: Blubaugh, Glover, McGill, Meadows, Piepho, Schroder, Tatzin

NOES: none

ABSENT: none

ABSTAIN: none

12. LAFCO 09-05 – Annexation 168C to Central Contra Costa Sanitary District (CCCSD)

The Executive Officer provided background on LAFCO 09-05, which was approved in December 2013 as modified to include only four of the original eight parcels presented for annexation.

Based on current LAFCO law and local policies, staff concluded that the Commission's action on CCCSD Annexation 168C is complete. At its discretion, the District may submit a new application to request annexation of some or all of the remaining four parcels. There would be no waiting period because the Commission did not "wholly disapprove" the proposal. At the time it submits a new proposal for some or all of the remaining four parcels, CCCSD could ask the Commission to waive or reduce the LAFCO application fee.

Staff read a statement from CCCSD staff member Russell Leavitt wherein his reading of the position of CCCSD is to wait until the County planning process determines which parcels would need sewer connections.

Commissioner McGill confirmed that this was his assessment of the situation as well.

Upon motion of Piepho, second by Glover, Commissioners unanimously received the report.

AYES: Blubaugh, Glover, McGill, Meadows, Piepho, Schroder, Tatzin

NOES: none

ABSENT: none

ABSTAIN: none

13. Commissioner Comments and Announcements

Commissioner Schroder asked Legal Counsel if the changes in the Brown Act apply to LAFCO as well. Legal Counsel Anderson responded that they do, and that she has worked with staff on reporting requirements.

Commissioner Piepho referred to the letter from Marlynn Taylor Simms, written in response to news of the Northeast Antioch annexation proposals. She asked staff to respond and provide answers to the questions Ms. Simms poses in her letter.

Commissioner Piepho also reminded Commissioners of the upcoming town hall meeting on the Fitch study of Contra Costa County Fire Protection District, and referenced an article in Commissioners' packets about the Discovery Bay Community Services District new recreation center.

Commissioner McGill reported that he will attend the CALAFCO Legislative Committee meeting on January 24.

14. Staff Announcements and Pending Projects

The Executive Officer drew Commissioners' attention to the pending projects list and the CALAFCO updates.

At 2:52 p.m., Commissioners adjourned to Closed Session to discuss employee performance evaluations.

At 3:14 p.m., Commissioners reconvened and the Chair reported that the Commissioners will reconvene in closed session at the end of the February 12 meeting.

The meeting was adjourned at 3:15 p.m.

Final Minutes Approved by the Commission February 12, 2014.

AYES:

NOES:

ABSTAIN:

ABSENT:

By _____
Executive Officer



Lou Ann Texeira
 Executive Officer

MEMBERS

Donald A. Blubaugh
Public Member
Federal Glover
County Member
Michael R. McGill
Special District Member

Dwight Meadows
Special District Member
Mary N. Piepho
County Member
Rob Schroder
City Member

Don Tatzin
City Member

ALTERNATE MEMBERS

Candace Andersen
County Member
Sharon Burke
Public Member
Tom Butt
City Member
George H. Schmidt
Special District Member

January 8, 2014 (Agenda)

February 12, 2014
 Agenda Item 6

Contra Costa Local Agency Formation Commission
 651 Pine Street, Sixth Floor
 Martinez, CA 94553

**Results of Protest Hearing
 Rodeo Marina Annexation to Rodeo Sanitary District**

Dear Commissioners:

At a public hearing on January 8, 2014, the Commission approved the Rodeo Marina Annexation to the Rodeo Sanitary District (RSD). This is a proposal to annex 16.7± acres (three parcels) to RSD. The subject parcels are located along the northwestern edge of Rodeo where it meets the San Pablo Bay. The purpose of the annexation is to allow for the extension of sewer services to the properties.

In accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, LAFCO is the agency to conduct the protest hearing. The purpose of the protest hearing is to receive written protests from affected landowners/registered voters regarding the proposal and determine whether a majority protest exists. With regard to this annexation, which is uninhabited (i.e., contains fewer than 12 registered voters), the Commission shall take one of the following actions:

- **Order the annexation** if written protests have been filed by less than 50% of the landowners owning less than 50% of the assessed value of land within the affected territory; or
- **Terminate the proceedings** if a majority protest exists. A majority protest constitutes 50% or more of the landowners owning at least 50% of the assessed value of land.

The protest hearing was properly noticed and held on Monday, February 10, 2014, at 9:00 a.m. in the LAFCO office located at 651 Pine Street, Sixth Floor in Martinez. The hearing was conducted by the LAFCO Executive Officer, who is delegated the authority to conduct the protest hearing on behalf of the Commission.

At the conclusion of the hearing, the number of protests received prior to and during the hearing will be counted. LAFCO staff will report the results of the protest hearing at the February 12, 2014 LAFCO meeting.

RECOMMENDATION

It is recommended that the Commission receive the results of the protest hearing.

Sincerely,

Lou Ann Texeira
Executive Officer

c: Distribution List



Lou Ann Texeira
Executive Officer

MEMBERS

Donald A. Blubaugh
Public Member
Federal Glover
County Member
Michael R. McGill
Special District Member

Dwight Meadows
Special District Member
Mary N. Piepho
County Member
Rob Schroder
City Member

Don Tatzin
City Member

ALTERNATE MEMBERS

Candace Andersen
County Member
Sharon Burke
Public Member
Tom Butt
City Member
George H. Schmidt
Special District Member

January 8, 2014 (Agenda)

February 12, 2014
 Agenda Item 7

Contra Costa Local Agency Formation Commission
 651 Pine Street, Sixth Floor
 Martinez, CA 94553

Results of Protest Hearing
PG&E Reorganization (Area 1) - Annexations to the City of Antioch and Delta Diablo
Sanitation District and Detachments from County Service Areas L-100 and P-6

Dear Commissioners:

At a public hearing on January 8, 2014, the Commission approved the PG&E Reorganization (Area 1) - Annexations to the City of Antioch and Delta Diablo Sanitation District (DDSD) and detachments from County Service Areas (CSAs) L-100 and P-6. This is a proposal to annex 481± acres (numerous parcels) to the City of Antioch and DDSD and detach the same territory from CSAs L-100 and P-6. The subject parcels are located north and south of Wilbur Avenue bounded by the San Joaquin River to the north, Highway 160 to the east, and the City of Antioch to the south and west. The purpose of the reorganization is to allow for the extension of municipal services to the properties.

In accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, LAFCO is the agency to conduct the protest hearing. The purpose of the protest hearing is to receive written protests from affected landowners/registered voters regarding the proposal and determine whether a majority protest exists. With regard to this reorganization, which is uninhabited (i.e., contains fewer than 12 registered voters), the Commission shall take one of the following actions:

- **Order the reorganization** if written protests have been filed by less than 50% of the landowners owning less than 50% of the assessed value of land within the affected territory; or
- **Terminate the proceedings** if a majority protest exists. A majority protest constitutes 50% or more of the landowners owning at least 50% of the assessed value of land.

The protest hearing was properly noticed and held on Monday, February 10, 2014, at 10:00 a.m. in the LAFCO office located at 651 Pine Street, Sixth Floor in Martinez. The hearing was

conducted by the LAFCO Executive Officer, who is delegated the authority to conduct the protest hearing on behalf of the Commission.

At the conclusion of the hearing, the number of protests received prior to and during the hearing will be counted. LAFCO staff will report the results of the protest hearing at the February 12, 2014 LAFCO meeting.

RECOMMENDATION

It is recommended that the Commission receive the results of the protest hearing.

Sincerely,

Lou Ann Texeira
Executive Officer

c: Distribution List

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT

February 12, 2014
Agenda Item 8

February 12, 2014 (Agenda)

LAFCO 13-08 Northeast Antioch Reorganization Area 2A - Annexations to the City of Antioch and Delta Diablo Sanitation District (DDSD) and detachment from County Service Area (CSA) P-6.

PROPONENT City of Antioch (by Resolution)

ACREAGE & LOCATION Area 2A comprises 116± acres (19 parcels) and is located immediately west of State Route 160 (Attachment 1).

PURPOSE Provide municipal services to the area, which is largely built out with marina commercial, storage and incidental uses, along with several dwelling units.

SYNOPSIS

This is one of three separate boundary reorganization proposals submitted by the City of Antioch to annex the greater Northeast Antioch area to the City and to DDSD. Both the PG&E Reorganization (Area 1) and Northeast Antioch Reorganization Area 2B were approved by the Commission on January 8, 2014. In total, these areas comprise 678± acres and have significantly different characteristics and land uses (Attachment 2).

This report is for Area 2A, a proposal to annex 116± acres (19 parcels) to the City of Antioch and to DDSD, and detach the same area from CSA P-6, the County police district.

DISCUSSION

The Cortese Knox Hertzberg Act (CKH Act) sets forth factors that the Commission must consider in evaluating any proposed change of organization or reorganization as discussed below (Gov. Code §56668). In the Commission's review of these factors, no single factor is determinative. In reaching a decision, each factor is to be evaluated within the context of the overall proposal.

1. Consistency with the Sphere of Influence of Any Local Agency:

LAFCO is charged with both regulatory and planning functions. Annexations are basically a regulatory act, while establishing spheres of influence (SOIs) is a planning function. The SOI is an important benchmark as it defines the primary area within which urban development is to be encouraged. In order for the Commission to approve an annexation, it must be consistent with the jurisdiction's adopted SOI. The annexation area is within both the City of Antioch and the DDSD SOIs, and within both the City of Antioch and County voter-approved Urban Limit Lines.

2. Land Use, Planning and Zoning - Present and Future:

Area 2A is part of the City's Eastern Waterfront Employment Focus Area as identified in the City's General Plan. In 2011, the City and County formed a committee to develop and implement a joint economic development strategy for the Northeast Antioch area. This committee was instrumental in addressing some of the concerns relating to the reorganization proposals, including fiscal and infrastructure issues.

The land in Area 2A is largely builtout and includes some underdeveloped properties. Existing uses are predominately marina, commercial, storage and incidental uses, along with several

residential dwelling units. The City's General Plan designations for Area 2A include "Marina/Support Uses" and "Commercial." The City has rezoned Area 2A as "Urban Waterfront" and "Regional Commercial."

Surrounding land uses include the San Joaquin River to the north; Highway 160 and heavy industrial to the east; heavy and light industrial to the south; and heavy industrial to the west.

The current and proposed uses are consistent with the City's plan and rezoning designations. No changes in land uses are proposed.

Other factors relating to land use and growth that LAFCO considers in its review of a proposal are a regional transportation plan and regional growth goals and policies.

In consideration of these factors, LAFCO staff reviewed the *Plan Bay Area* which is a long-range integrated transportation and land-use/housing strategy through 2040 for the nine county San Francisco Bay Area. In July 2013, the *Plan* was jointly approved by the Association of Bay Area Governments (ABAG) the Metropolitan Transportation Commission (MTC). The *Plan* includes the region's Sustainable Communities Strategy and the 2040 Regional Transportation Plan.

The *Plan* identifies Priority Development Areas (PDAs) - 25 in Contra Costa County, and Priority Conservation Areas (PCAs) - 12 in Contra Costa County. Area 2A is not identified as a PDA.

3. The Effect on Maintaining the Physical and Economic Integrity of Agricultural Lands:

The State Department of Conservation produces a map every two years which identifies California's agricultural lands (e.g., Prime Farmland, Unique Farmland, Farmland of Statewide Importance, Farmland of Local Importance, Grazing Land, etc.) based on ratings that take into account soil quality and irrigation status.

Both LAFCO law and the California Environmental Quality Act (CEQA) provide their respective definitions of "agricultural land" and "prime agricultural land."

Under CEQA, the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance is considered a significant impact.

As noted in the City's environmental analysis, the Northeast Antioch reorganization area contains some Farmland of Statewide Importance and some Farmland of Local Importance in Areas 1 and 2B; however, there is no farmland located in Area 2A. Further, no portion of the reorganization area is under a Williamson Act Land Conservation Agreement.

4. Topography, Natural Features and Drainage Basins:

Area 2A is located just south of the San Joaquin River. A portion of Area 2A immediately adjacent to the San Joaquin River is located within a 100-year flood hazard zone. As discussed in the City environmental review, the City's project does not propose any new buildings or structures within an identified area of heightened flood risk.

The area has a relatively level topography. There are no other significant natural features affecting the proposal.

5. Population:

The area is designated primarily for marina, commercial, storage and incidental uses. There are an estimated four existing residential units in Area 2A, which appear to be caretaker quarters for existing storage facilities. Additionally, there is a small number of boat residents in the area. In

accordance with the City's General Plan and zoning designations, no new residential development is proposed for this area. Thus, no increase in population is anticipated.

6. Fair Share of Regional Housing:

Pursuant to §56668 of the CKH Act, LAFCO must consider in the review of a proposal the extent to which the proposal will assist the receiving entity in achieving its fair share of the regional housing needs as determined by the regional council of governments. Regional housing needs are determined by the State Department of Housing and Community Development; the councils of government throughout the State allocate to each jurisdiction a "fair share" of the regional housing needs. Given the current and proposed land uses in Area 2A, there is no impact to regional housing needs associated with the proposed reorganization.

7. Governmental Services and Controls - Need, Cost, Adequacy and Availability:

In accordance with Government Code §56653, whenever a local agency submits an annexation application, the local agency must also submit a plan for providing services to the annexation area. The plan shall include all of the following information and any additional information required by LAFCO:

- (1) An enumeration and description of the services to be extended to the affected territory.
- (2) The level and range of those services.
- (3) An indication of when those services can feasibly be extended to the affected territory.
- (4) An indication of any improvement or upgrading of structures, roads, sewer or water facilities, or other conditions the local agency would impose or require within the affected territory if the change of organization or reorganization is completed.
- (5) Information with respect to how those services will be financed.

The City has provided a "Plan for Services" as required by statute. The level and range of services will be comparable to those services currently provided within the City. City services will be needed to support future development in the area. As part of the reorganization proposal, the City and County have entered into both tax sharing and infrastructure agreements.

Following annexation, the City will provide a range of municipal services to Area 2A, including police, streets and roads, street lighting, drainage, parks & recreation, library, and other services. Fire services will continue to be provided by the Contra Costa County Fire Protection District (CCCFFPD).

Following annexation, the City will also provide sewer collection, and DDSO will provide sewer treatment and disposal. The City will provide retail water, and Contra Costa Water District (CCWD) will provide wholesale water to the City as summarized below. The City has existing sewer and water lines located within Area 2A that can serve the area following annexation.

Police Services – Law enforcement services are currently provided to Area 2A by the Contra Costa County Sheriff's Department. Upon annexation, police services will be provided by the City of Antioch, and the area will be detached from the County's police services district (CSA P-6).

The City's standard for providing police services is 1.2 sworn officers per 1,000 residents. By including Community Service Officers in the sworn officer category, Antioch has maintained this ratio. Police response times are dependent on the agency's staffing level and size of the jurisdiction served. The Antioch General Plan establishes a response time goal of 7-8 minutes for Priority 1 (emergency) calls. The Antioch Police Department reports that the average

response time is 11 minutes due to a lack of staffing. The City's CEQA document concludes that the three Northeast Antioch annexation areas would not significantly impact or worsen the ratio of police staff to population or adversely affect the response times.

Streets and Roads – The City indicated that the road network is already in place in Area 2A. The City anticipates that as development occurs in Northeast Antioch, appropriate frontage improvements will be made to existing public streets in this area. The City currently maintains 314 total centerline miles; 669 total lane miles. There is one mile of public streets within Area 2A that would be added to the City's road inventory following annexation.

Street Lighting - The City reports that there are several existing street lights in Area 2A in close proximity to Highway 160, which are installed and maintained by Caltrans. Any new street lights installed in Area 2A would be in conjunction with new development.

Drainage – The City indicates that there are currently no drainage facilities that serve the annexation area; however, there are two large storm drain trunk lines that cross Wilbur Avenue and drain into the San Joaquin River. The extent and location of any storm drainage improvements in Area 2A will depend on future development in the area. Capacity in the existing storm drain lines is limited, and significant new development within the Northeast Antioch reorganization area will require construction of a new outfall to the San Joaquin River. All new development in the annexation area must comply with provisions of various municipal, regional, State and federal requirements, including measures to remove pollutants from stormwater for compliance with the federal Clean Water Act and the National Pollution Discharge Elimination System (NPDES).

Parks & Recreation – The City of Antioch has 33 parks. The City's General Plan Performance Standards for parks propose five acres of improved public and/or private neighborhood parks and public community parkland per 1,000 residents, including appropriate recreational facilities. The City exceeds this standard when the trail system, the Costa Loma Regional Park, and the Lone Tree Golf Course are factored in. There are currently no public parks in the Northeast Antioch reorganization area.

The City operates a comprehensive recreation program including aquatics, sports, leisure time activities, community and cultural events, Prewett Family Water Park, Senior Center, youth activities, excursions, and 300 instructional programs for pre-school, youth, adult, seniors, and on-line.

The annexation is not expected to create any significant demand on the City's existing parks & recreation facilities and programs due to the limited number of residents in the area.

Other Services – The City provides a multitude of other services, including art & cultural, capital improvements, code enforcement, landscape maintenance, library and special services which will be extended to Area 2A following annexation.

Fire Protection – Fire and emergency medical services are, and will continue to be, provided by CCCFPD following annexation. There are four fire stations located in Antioch. Station 81 is located in the downtown area at 315 W. 10th Street; Station 82 is located at 196 Bluerock Drive, just west of Lone Tree Way in the south central portion of the City; Station 83 is located at 2717 Gentrytown Drive, just south of Buchanan Road in the western portion of the City; and Station 88 is located at 4288 Folsom Drive, just east of Hillcrest Avenue in the eastern portion of the City.

The City's CEQA document concludes that the annexation will result in no change to fire services and no impacts will occur.

Sewer Services – The City provides wastewater collection services, while DDS D provides conveyance, treatment and disposal services to the City.

Currently, Area 2A is served by onsite septic systems. Following annexation, municipal wastewater services will be available to the area. The existing sewer line in Wilbur Avenue, which runs along Area 2A's Wilbur frontage, was installed by PG&E in conjunction with LAFCO's previous Out of Agency service approval; the line was later extended by NRG. Given that the existing Wilbur sewer line is at the "doorstep" of the Area 2A properties, connecting to this sewer line will be straightforward. It should be noted that there are a number of deep parcels in the area that will require lengthy connections, some as long as 1,000 lineal feet.

The City's current population is 105,117 residents in a 28 square-mile service area. The City's wastewater collection system consists of 319 miles of gravity pipeline with three pump stations.

DDS D serves the cities of Antioch and Pittsburg and the unincorporated community of Bay Point. DDS D serves a population of approximately 190,567 residents in a service area of 49± square miles. DDS D has over 49 miles of sewer main and five pump stations. The District's treatment plant capacity is 16.5 million gallons per day (mgd); in 2012, the average dry weather flow (ADWF) was 14.2 mgd.

Regarding capacity, the City's existing ADWF is 7.4 mgd; and the future ADWF is 10.7 mgd. The City estimates that the future peak dry weather flow (PDWF) is 16.8 mgd. DDS D allows an ADWF of 16.5 mgd. As noted above, during 2012, the ADWF influent to the treatment plant was 12.7 mgd; in 2005 and 2010, the ADWF influent to the treatment plant was 14.2 mgd and 13.2 mgd, respectively. It is estimated that all three reorganization areas (Areas 1, 2A, 2B) have an existing estimated ADWF of 2.42 mgd which will increase to 3.71 mgd at buildout.

Both the City and DDS D indicate that they have the capacity to serve the Northeast Antioch reorganization area.

8. **Timely Availability of Water and Related Issues:**

Pursuant to the CKH Act, LAFCO must consider the timely and available supply of water in conjunction with a boundary change proposal. In accordance with Contra Costa LAFCO policies, any proposal for a change of organization that includes the provision of water service shall provide information relating to water supply, storage, treatment, distribution, and waste recovery; as well as adequacy of services, facilities, and improvements to be provided and financed by the agency responsible for the provision of such services, facilities and improvements.

The City provides water treatment and distribution services, with 328 miles of main, seven pump stations and 11 reservoirs. The City obtains a majority of its water supply from CCWD, along with diversions from the San Joaquin River.

CCWD's boundary encompasses 220± square miles in central and eastern Contra Costa County. CCWD's untreated water service area includes Antioch, Bay Point, Oakley, Pittsburg, and portions of Brentwood and Martinez. The District's treated water service area includes Clayton, Clyde, Concord, Pacheco, Port Costa, and parts of Martinez, Pleasant Hill, and Walnut Creek. CCWD also treats and delivers water to the City of Brentwood, Golden State Water Company (Bay Point), Diablo Water District (Oakley), and the City of Antioch. CCWD serves

approximately 500,000 (61,085 water connections). The primary sources of water are the U.S. Bureau of Reclamation Central Valley Water Project and delta diversions.

Regarding the water distribution system, the City currently has existing "looped" water mains located in the Northeast Antioch annexation area, consisting of a 16-inch main that runs north/south along the length of Viera Avenue, a 12-inch water line that runs east/west along the length of Wilbur Avenue through Area 1, and 12-inch and 16-inch water lines that run along East 18th Street. Also, there is an existing 8-inch water line in Bridgehead Road that can serve properties in that area. These existing water lines provide the backbone of a future water delivery system that will ultimately be developed to serve properties and businesses located in the Northeast Antioch reorganization area.

The City, in its Water Master Plan, examined the City's ability to serve all three subareas. The analysis confirms that, given the City's allocation of raw water and the City's rights to future water supplies of raw water, and based on the City's current and planned treatment capacity, the City has the ability to provide potable water to all three subareas based on the level of existing and future development.

The City reports that most of the existing uses in Area 2A currently have City water; and that these water service connections pre-date LAFCO.

9. Assessed Value, Tax Rate Areas and Indebtedness:

The annexation area is within tax rate area 53004. The total assessed value (secured and unsecured) is \$18,346,281 (2013-14 roll). The territory being annexed shall be liable for all authorized or existing taxes comparable to properties presently within the annexing agencies, if applicable.

10. Property Tax Exchange

Revenue and Taxation Code §99(b)(6) requires adoption of a property tax exchange agreement by affected local agencies before the Commission can consider a proposed boundary change. Both the City and County have adopted resolutions approving a tax revenue allocation agreement covering all three annexation areas.

11. Environmental Impact of the Proposal:

The City of Antioch, as Lead Agency, prepared and adopted the Northeast Antioch Area Reorganization Initial Study/Mitigated Negative Declaration (IS/MND). The City's IS/MND identified potentially significant impacts resulting from Air Quality, Biological Resources, Cultural Resources, Hazards & Hazardous Materials and Noise. Mitigation measures have been provided for each potentially significant impact, reducing all to a less than significant level. Copies of the City's document were previously provided to Commissioners and are available for review in the LAFCO office. The LAFCO Environmental Coordinator finds the City's CEQA document sufficient for LAFCO purposes.

12. Landowner Consent and Consent by Annexing Agency:

According to County Elections, there are fewer than 12 registered voters in the area proposed for annexation; thus, the area is considered uninhabited.

Less than 100% of the affected landowners have provided written consent to the annexation. Thus, the Commission's action is subject to notice, hearing, as well as protest proceedings. If the Commission approves the annexation, a subsequent notice and protest hearing will follow.

Authority to conduct the protest hearing has been delegated to the LAFCO Executive Officer. All landowners and registered voters within the proposal area and within 300 feet of the exterior boundaries of the area have received notice of the February 12 hearing.

13. Boundaries and Lines of Assessment:

Area 2A is contiguous to existing City of Antioch boundary. A map and legal description to implement the proposed boundary change have been received and are subject to approval by the County Surveyor.

On January 8, 2014, the Commission approved the annexation of Area 1, which is adjacent to Area 2A. The annexation of Area 2A will prevent the area from becoming an island, which would be surrounded by the City of Antioch to the west and south, the City of Oakley to the east, and the San Joaquin River to the north.

14. Environmental Justice

One of the factors LAFCO must consider in its review of an application is the extent to which the proposal will promote environmental justice. As defined by statute, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services. The proposed annexation is not expected to promote or discourage the fair treatment of minority or economically disadvantaged groups.

15. Disadvantaged Communities

In accordance with recent legislation (SB 244), local agencies and LAFCOs are required to plan for disadvantaged unincorporated communities (DUCs). Many of these communities lack basic infrastructure, including streets, sidewalks, storm drainage, clean drinking water, and adequate sewer service. LAFCO actions relating to Municipal Service Reviews, SOI reviews/amendments, and annexations must take into consideration DUCs, and specifically the adequacy of public services, including sewer, water, and fire protection needs or deficiencies, to these communities. According to the County and City Planning Departments, the annexation area does not meet the criteria of a DUC.

16. Comments from Affected Agencies/Other Interested Parties

No comments have been received to date.

ALTERNATIVES FOR COMMISSION ACTION

After consideration of this report and any testimony or additional materials that are submitted the Commission should consider taking one of the following options:

Option 1 Close the public hearing and approve the reorganization.

- A. Find that, as a Responsible Agency under CEQA, the Commission has reviewed and considered the information contained in the Northeast Antioch Area Reorganization Initial Study/Mitigated Negative Declaration as prepared and adopted by the City of Antioch.
- B. Adopt this report, approve the attached resolution (Attachment 3), and approve the proposal, to be known as **Northeast Antioch Reorganization (Area 2A) - Annexations to the City of Antioch and Delta Diablo Sanitation District (DDSD) and detachment from County Service Area P-6** subject to the following term and condition:

1. The territory being annexed shall be liable for the continuation of any authorized or existing special taxes, assessments and charges comparable to properties presently within the annexing agency.
- C. Find that the subject territory is uninhabited, that less than 100% of the affected landowners have provided written consent to the reorganization, and the reorganization is subject to a subsequent conducting authority (protest) hearing.

Option 2

- A. Certify it has reviewed and considered the information contained in the City's Mitigated Negative Declaration.
- B. Adopt this report and DENY the proposal.

Option 3 If the Commission needs more information, CONTINUE this matter to a future meeting.

RECOMMENDED ACTION:

Option 1.

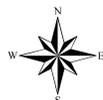
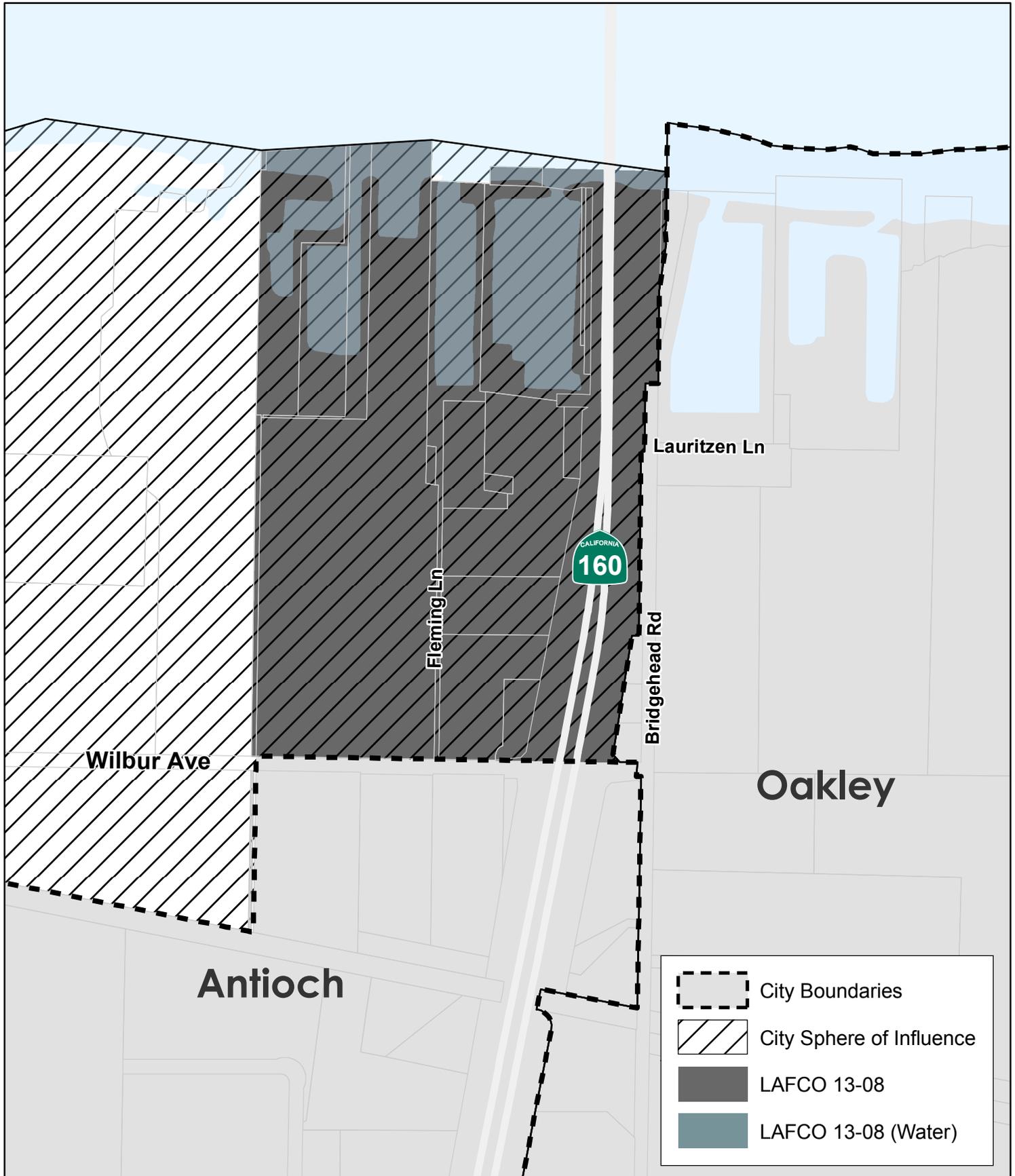
LOU ANN TEXEIRA, EXECUTIVE OFFICER
CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION

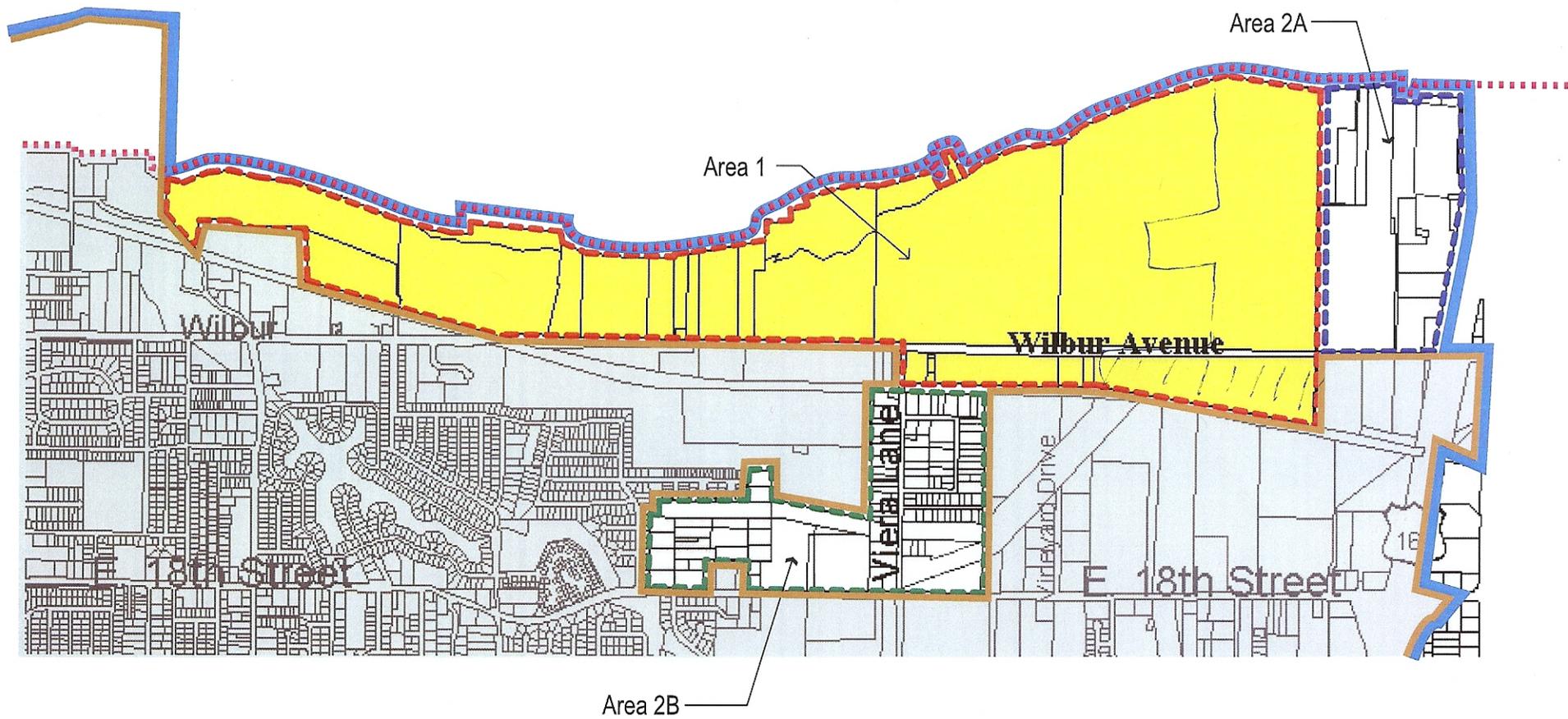
c: Distribution

Attachments

1. Map of Area 2A Reorganization
2. Map of Northeast Antioch (Areas 1, 2A and 2B)
3. Draft LAFCO Resolution – Area 2A

LAFCO No. 13-08 Northeast Antioch Area 2A Reorganization Annexations to City of Antioch and Delta Diablo Sanitation District Detachment from CSA P-6





LEGEND

- Urban Limit Line
- City Sphere of Influence (SOI)
- City Boundary
- DDSD Service Boundary and SOI
- Area 1
- Area 2A
- Area 2B

EXHIBIT 2
 Current Administrative Boundaries
 Industrial Areas Along Wilbur Avenue –
 Administrative Reorganization

RESOLUTION NO. 13-08

**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
MAKING DETERMINATIONS AND APPROVING
NORTHEAST ANTIOCH REORGANIZATION AREA 2A: ANNEXATIONS TO THE
CITY OF ANTIOCH AND DELTA DIABLO SANITATION DISTRICT AND
DETACHMENT FROM COUNTY SERVICE AREA P-6**

WHEREAS, the Area 2A reorganization (marina area) proposal has been filed with the Executive Officer of the Contra Costa Local Agency Formation Commission pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act (Section 56000 et seq. of the Government Code); and

WHEREAS, at the time and in the manner required by law the Executive Officer has given notice of the Commission's consideration of the Area 2A proposal; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony related to the Area 2A proposal including, but not limited to, the Executive Officer's report and recommendation, the environmental document or determination, Spheres of Influence and applicable General and Specific Plans; and

WHEREAS, the Local Agency Formation Commission determines the Area 2A proposal to be in the best interests of the affected area and the total organization of local governmental agencies within Contra Costa County;

NOW, THEREFORE, the Contra Costa Local Agency Formation Commission DOES HEREBY RESOLVE, DETERMINE AND ORDER as follows:

1. The Commission finds that as a Responsible Agency under the California Environmental Quality Act (CEQA), it has reviewed and considered the information contained in the Northeast Antioch Area Reorganization Initial Study/Mitigated Negative Declaration as prepared and adopted by the City of Antioch.
2. Said reorganization is hereby approved.
3. The subject proposal is assigned the distinctive short-form designation:

**NORTHEAST ANTIOCH REORGANIZATION AREA 2A: ANNEXATIONS TO THE
CITY OF ANTIOCH AND DELTA DIABLO SANITATION DISTRICT AND
DETACHMENT FROM COUNTY SERVICE AREA P-6**

4. The boundaries of the affected territory are found to be definite and certain as approved and set forth in Exhibit A, attached hereto and made a part hereof.
5. The subject territory shall be liable for any authorized or existing taxes, charges and assessments comparable to properties within the annexing agency.

Contra Costa LAFCO
Resolution No. 13-08

6. The City of Antioch delivered an executed indemnification agreement between the City and Contra Costa LAFCO providing for the City to indemnify LAFCO against any expenses arising from any legal actions challenging the Area 2A reorganization.
7. The territory proposed for reorganization is uninhabited.
8. The proposal has less than 100% landowner consent and is subject to conducting authority (protest) proceedings.
9. All subsequent proceedings in connection with the Area 2A reorganization shall be conducted only in compliance with the approved boundaries set forth in the attachments and any terms and conditions specified in this resolution.

PASSED AND ADOPTED THIS 12th day of February 2014, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

DWIGHT MEADOWS, CHAIR, CONTRA COSTA LAFCO

I hereby certify that this is a correct copy of a resolution passed and adopted by this Commission on the date stated.

Dated: February 12, 2014

Lou Ann Texeira, Executive Officer



Lou Ann Texeira
Executive Officer

MEMBERS

Donald A. Blubaugh
Public Member
Federal Glover
County Member
Michael R. McGill
Special District Member

Dwight Meadows
Special District Member
Mary N. Piepho
County Member
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Don Tatzin
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Public Member
Tom Butt
City Member
George H. Schmidt
Special District Member

February 12, 2014 (Agenda)

February 12, 2014
 Agenda Item 9

Contra Costa Local Agency Formation Commission
 651 Pine Street, Sixth Floor
 Martinez, CA 94553

Second Quarter Budget Report - Fiscal Year 2013-14

Dear Members of the Commission:

This is the mid-year budget report for FY 2013-14, which compares adopted and actual expenses and revenues for the period July 1, 2013 through December 31, 2013.

The LAFCO operating budget includes three components: salaries/benefits, services/supplies, and contingency/reserve. The budget is based on the “bottom line,” which allows for variation within line item accounts as long as the overall balance remains positive. Funds may not be drawn from the contingency/reserve without Commission approval.

LAFCO’s budget is funded primarily by the County, cities and independent special districts, with each group paying one-third of the LAFCO budget. The city and district shares are prorated based on general revenues reported to the State Controller’s Office. LAFCO also receives revenue through application fees and interest earnings.

DISCUSSION

On May 8, 2013, LAFCO adopted its final FY 2013-14 budget with appropriations totalling \$765,016 (including contingency/reserve and OPEB Trust).

With 50% of the fiscal year elapsed, the Commission’s second quarter expenditures are \$211,175 or 28% of total appropriations. The Commission budgeted \$351,936 in *salaries/benefits* for FY 2013-14; at the end of the second quarter, actual expenses total \$145,288 or 41% of the total budgeted amount. The Commission budgeted \$323,080 in *services/supplies*; and at the end of the second quarter, actual expenses total \$65,887 or 20%. The budget also includes an \$80,000 contingency/reserve and \$10,000 for the OPEB Trust. No funds have been drawn from the contingency this fiscal year.

The primary sources of revenues are local agency contributions, application fees, and interest earnings. Total revenues received during the first six months of the fiscal year are \$591,885 or 98% of projected revenues (excluding fund balance). All local agencies have paid their prorated contributions to the LAFCO budget.

As for applications, FY 2013-14 application activity is lower than FY 2012-13 activity. During the first six months of FY 2013-14, LAFCO received two new applications, as compared to four applications received during the first six months of FY 2012-13.

LAFCO is currently receiving no investment earnings, and awaits the County Treasurer's notice to resume investment activity based on market conditions.

Finally, when available, we budget fund balance to offset agency contributions. The FY 2013-14 budget includes \$153,000 in budgeted fund balance. See table below for a summary a budget activity.

Account	FY 2013-14 Final Budget	Second Quarter Actuals
Salaries & Benefits	\$351,936	\$145,288
Services & Supplies	323,080	65,887
Contingency/Reserve	80,000	-
OPEB Trust	10,000	
Total Appropriations	\$765,016	\$211,175
Agency Contributions	\$582,016	\$582,016
Application/Other Revenue	30,000	9,869
Interest Earnings		
Fund Balance	153,000	
Total Revenues	\$765,016	\$591,885

No budget adjustments are recommended at this time. LAFCO staff will continue to closely monitor the budget, and keep the Commission apprised.

RECOMMENDATION

It is recommended that the Commission receive the FY 2013-14 second quarter fiscal report.

Sincerely,

LOU ANN TEXEIRA
EXECUTIVE OFFICER



Lou Ann Texeira
Executive Officer

MEMBERS

Donald A. Blubaugh
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Federal Glover
County Member
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February 12, 2014 (Agenda)

February 12, 2014
 Agenda Item 10

Contra Costa Local Agency Formation Commission
 651 Pine Street, Sixth Floor
 Martinez, CA 94553

Fiscal Year 2014-15 Budget and Work Program Schedule

Dear Members of the Commission:

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH Act) creates a specific process for preparing and adopting LAFCO’s budget. Government Code §56381 provides that the Commission shall adopt annually, following noticed public hearings, a proposed budget by May 1 and final budget by June 15. Contra Costa LAFCO typically adopts a proposed budget in March and a final budget in May each year.

In conjunction with a proposed budget, the Commission sets out a work plan in March each year. The work plan typically includes goals and objectives such as preparing Municipal Service Reviews (MSRs)/Sphere of Influence (SOI) updates, updating the Commission’s policies and procedures, and other projects and programs.

In April 2013, the Commission conducted a strategic planning session. As part of the session, the Commission identified a number of priorities, including conducting second round MSRs, enhancing LAFCO terms and conditions, being an active participant in the County’s fire and EMS studies, updating the Commissioner’s Handbook, and facilitating island annexations. Here is a brief update on these activities:

MSRs/SOI Updates - In the past year, the Commission completed its inaugural round of MSRs/SOI updates, and initiated a countywide second round MSR covering water and wastewater services, including eight cities, 19 special districts, and private mutual water companies. The second round Public Review Draft Water/Wastewater MSR report will be released in March 2014. The Commission has expressed an interest in initiating the fire and EMS second round MSR in 2014.

Enhancing LAFCO Terms and Conditions - In recent proposals, including the Northeast Antioch reorganizations, the Commission expanded its use of LAFCO terms and conditions.

Participation in County Fire and EMS Studies - Also this year, the Commission participated in the County's fire and EMS studies, and appointed Commissioners Blubaugh and Tatzin to represent LAFCO in meetings with the project team and at stakeholder meetings. The LAFCO representatives met with the project consultants, attended various community meetings, and provided written comment on the recently released draft fire report. The County reports are expected to be released in late February 2014.

Policy and Procedure Updates - In 2013, the Commission made significant progress updating its policies and procedures, and adopted new procedures for the following changes of organization: city annexations/ detachments, district annexations/detachments, district mergers, establishment of subsidiary districts, LAFCO-initiated proposals, new or different services, district dissolution, district formation, district consolidation, city consolidation, disincorporation, reorganization and out of agency service; and updated the *Membership and Rules and Procedures* policies.

Island Annexations - LAFCO continues to work with cities to facilitate island annexations. In January 2014, the Commission approved an island annexation (i.e., Northeast Antioch Area 2B Reorganization). LAFCO staff is currently working with the San Pablo City Manager on the potential annexation of the Rollingwood community to the City. LAFCO staff will continue to work with the City and Concord and the County on the Ayers Ranch annexation.

In FY 2014-15, LAFCO will continue work on second round MSRs, updates to the Commission's policies and procedures, and other priorities.

RECOMMENDATIONS

1. Direct the staff to prepare the LAFCO budget and work plan for Fiscal Year 2014-15;
2. Direct staff to present a Proposed Budget for review and approval at the March 12, 2014 LAFCO meeting;
3. Direct staff to present a Final Budget for review and approval at the May 14, 2014 LAFCO meeting; and
4. Provide direction regarding related matters as desired.

Sincerely,

LOU ANN TEXEIRA
EXECUTIVE OFFICER

- c: All Contra Costa County Cities
All Contra Costa County Special Districts
Contra Costa County Administrator
Contra Costa County Auditor-Controller



Lou Ann Texeira
Executive Officer

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February 12, 2014 (Agenda)

February 12, 2014
 Agenda Item 11

Contra Costa Local Agency Formation Commission
 651 Pine Street, Sixth Floor
 Martinez, CA 94553

Update – County Fire Service Study

Dear Members of the Commission:

In February 2013, the County embarked on two separate studies – one covering Contra Costa County Fire Protection District (CCCFPD) services, and a separate study of emergency medical services (EMS). Each study has a separate focus and scope of work supported by two distinct project teams of Fitch & Associates consultants.

The focus of the CCCFPD study is to explore fire service delivery through a review of existing service levels, staffing levels and practices, responses models, projected service demand, and strategies for effectiveness and efficiencies.

The project team completed a series of meetings with County management and officials, union representatives, and key stakeholders including other fire districts, the EMS agency, LAFCO representatives, and city managers and mayors of the cities served by CCCFPD. The Fitch team provided the Board interim reports in August and December 2013 with preliminary findings and potential options.

On January 13, 2014, the County released the *Draft Evaluation and Options Appraisal Study* (CCCFPD) with a three-week public comment period ending on January 31, 2014. An email transmitting the draft report was sent to the Commission on January 13. The Commission’s ad hoc committee (Commissioners Blubaugh and Tatzin and the LAFCO Executive Officer) reviewed the draft report and provided general and specific comments (attached).

On January 22, 2014, the LAFCO Executive Officer attended a public Town Hall meeting at which time the Fitch team presented an overview of the draft report and received public comments. The overview included observations of CCCFPD’s current operations, a fiscal analysis, and three short-term options that may sustain the District for the next 3-4 years. The draft report and presentation materials are available on the County’s website.

Included among Fitch's observations are the following:

Operations/Emergency Response

- The impact of decommissioning four fire stations in 2013 was relatively insignificant in terms of response times
- CCCFPD does not have sufficient resources to provide appropriate support services
- Crew chute time is longer than expected and should be shortened

Fiscal

- Anticipated increases in property tax revenues and lower retirement expenses partially alleviated CCCFPD's immediate fiscal crisis. However, continuing structural deficits coupled with zero budgets for pressing fleet and infrastructure needs will threaten even short-term financial sustainability.
- The fact that operational plans going forward contain no budget provisions for capital replacement is a concern. The need for capital replacement will transition from being urgent to critical.

Communications

- The Communications Center does not use best practice protocol-based dispatch for fire calls, which impacts dispatch performance negatively.

The **Options** presented in the draft report include:

1. Maintain status quo
2. Implement the Optimized Service Delivery Model Option (three/two response staffing)
3. Implement the Single Patch Alternative Responder Personnel Option

The Fitch team will look at Option 2 in more depth as part of the final report. This option involves converting two 3-person engine companies to three 2-person Quick Response Vehicle companies. The report indicates that this change would allow CCCFPD to financially sustain itself for another three years under the current revenue structure with no layoffs.

The draft report concludes that excess capacity has been removed from the system (through decommissioning), and that subsequent efforts to demonstrate value to the public will be to improve dispatch and chute times. These efforts can result in improved service and be accomplished at minimal financial cost.

The project will culminate in a final report and recommendations to the Board of Supervisors in late February 2014.

RECOMMENDATION - Receive update and provide comments as desired.

Sincerely,

LOU ANN TEXEIRA
EXECUTIVE OFFICER

Attached – LAFCO Comment Letter – Fitch's *Draft Evaluation and Options Appraisal Study*



Lou Ann Teixeira
Executive Officer

MEMBERS

Donald A. Blubaugh <i>Public Member</i>	Dwight Meadows <i>Special District Member</i>
Federal Glover <i>County Member</i>	Mary N. Piepho <i>County Member</i>
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Don Tatzin <i>City Member</i>	

ALTERNATE MEMBERS

Candace Andersen
County Member
Sharon Burke
Public Member
Tom Butt
City Member
George H. Schmidt
Special District Member

January 31, 2014

Tim Ewell, Senior Deputy County Administrator
County of Contra Costa
651 Pine Street, 10th Floor
Martinez, CA 94553
Attn: Fitch Study - Public Comment

Dear Tim,

Thank you for the opportunity to comment on the *Draft Evaluation and Options Appraisal Study of the Contra Costa County Fire Protection District (CCCFPD)*.

The LAFCO subcommittee, comprised of Commissioners Blubaugh and Tatzin, and LAFCO staff offer the following general and specific comments and questions.

General Comments/Questions

1. The draft report encourages using more basic life support rather than paramedic response, to be phased in over time. However, the report does not address a scenario whereby CCCFPD gets out of the business of basic and advanced life support and allows the private sector to handle these calls. It would be worthwhile to look at this option, potential savings to the District, and any corresponding cost increases to the emergency health care system.
2. The report did not deal with option of fire district consolidations. Why?
3. The Fitch study focuses primarily on short-term solutions. Will long-term solutions be studied?

Specific Comments/Questions

1. Response Times (p. 2) - How have response times varied in those areas where closed stations were the nearest provider? We would expect those to have been low volume stations so they might not have much effect on the 90th percentile evaluation but the closures could have significant impacts in those areas.

2. Single Patch (p. 8) - How many "EMT only" staff are being considered, and in what locations? What would be the effect on fighting fires that occur? How much is saved for the number of staff contemplated? To what extent does this constrain staff scheduling and thereby affect overtime and other costs?
3. 3/2 Staffing Impacts (p. 9) - What happens to fire response times defined in terms of when you can start fighting a fire, particularly in areas around stations that go from 3 to 2? Which stations are the candidates to go from 3 to 2 and which should be reopened with 2?
4. Cost of \$770,000 per firefighter (p. 18) – Please confirm this number, as it seems high. What other "fixed" operating costs exist? What is the average salary and what are the benefits less those counted as fixed costs?
5. Why are upper call volumes limited to two calls per month per square kilometer in the zone and surrounding eight zones? What would happen to the graphs and conclusions if you included the actual data for each area? (pp. 40-60)
6. District Governance (p. 29) - There is a description of the district formation process. We suggest that the first bullet point - "*Application*" be modified as follows: "**Depending on the type of district being formed, formation may be initiated by a petition of registered voters or landowners, or by a resolution of an existing local government agency.**"

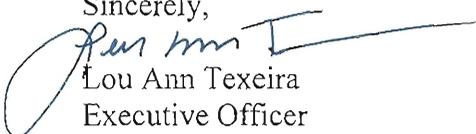
Under the second bullet point - "*Review and Approval*" LAFCO can approve **with conditions**.

Also, it is possible to form a new district **without an election**, if the formation is part of a reorganization or consolidation where two or more districts are proceeding under the adoption of substantially similar initiating resolutions. This is how East Contra Costa Fire District was formed.

7. Communications (starting on p. 35) - The LAFCO 2009 MSR encouraged the County to coordinate a 911 dispatch study in conjunction with County Sheriff and PSAP manager's group. We note that the Communications chapter discusses system deficiencies, which is consistent with the LAFCO MSR report.
8. Operations Analysis (p. 68) Figure 26 - It would be useful to include the station locations (e.g., "Antioch", "El Sobrante", etc.).

Thank you for the opportunity to comment. We look forward to receiving a copy of the final report.

Sincerely,



Lou Ann Texeira
Executive Officer

c: Each Member, Contra Costa LAFCO



MEMORANDUM

February 12, 2014
Agenda Item 12

Date: February 4, 2014

To: Employers,
Employee Representatives,
Other Interested Parties

From: Marilyn Leedom, Retirement Chief Executive Officer

Subject: CCCERA Funding Policy – Educational Presentation by CCCERA’s Actuaries,
The Segal Company

In about 10 days you will receive an agenda for the CCCERA’s Board of Trustees meeting on January 22, 2014. This meeting will include items of interest to all employers as follows:

1. Educational session by The Segal Company on CCCERA’s Actuarial Funding Policy. This educational session will include the significant provisions that would comprise an actuarial funding policy for CCCERA. We will review CCCERA’s current funding policy elements, along with the consideration of the Government Accounting Standards Board (GASB)’s recently adopted Statements No. 67 and 68.

This educational session will include discussion on the general funding policy goals, the actuarial cost method, asset smoothing method, amortization method, and various other funding policy parameters.

2. Educational session by CCCERA’s Fiduciary Counsel regarding bankruptcy issues as they apply to CCCERA.

Please join us for this informational meeting regarding these educational sessions on the proposed Actuarial Funding Policy and Bankruptcy issues.

The Retirement Board administers the fund for the benefit of all member groups. We invite you to attend this meeting, ask questions and learn more about these critical subjects.



RETIREMENT BOARD MEETING
SECOND MONTHLY MEETING
9:00 a.m.

January 22, 2014

Retirement Board Conference Room
The Willows Office Park
1355 Willow Way
Suite 221
Concord, California

*******AMENDED*******

THE RETIREMENT BOARD MAY DISCUSS AND TAKE ACTION ON THE FOLLOWING:

1. Pledge of Allegiance.
2. Recognition of Richard Cabral for over 35.5 years of service to CCCERA.
3. Accept comments from the public.
4. Educational presentation from Segal Consulting regarding the CCCERA Funding Policy.
5. Consider and take possible action to adopt the CCCERA Funding Policy.
6. Consider and take possible action regarding Segal Consulting's recommendation on rounding when determining the member contribution rates for PEPPRA members.
7. Educational presentation from Fiduciary Counsel on Municipal Bankruptcy and Public Pensions.
8. Consider and take possible action regarding staff recommendation for assignment of Ceredex contract.
9. Consider and take possible action on staff recommendation to contract with Vocational Review services provider.
10. Consider and take possible action on staff recommendation to issue a RFI for CCCERA web development services.
11. Consider and take possible action regarding the Investment Consultant for CCCERA.
12. Consider authorizing the attendance of Board and/or staff:
 - a. General Assembly, CALAPRS, March 2 – 4, 2014, Rancho Mirage, CA.
 - b. CAPP Part II, IFEBP, June 5 – 6, 2014, San Jose, CA.
 - c. 2014 Investor Conference, Angelo Gordon, April 9 – 10, 2014, New York, NY.

The Retirement Board will provide reasonable accommodations for persons with disabilities planning to attend Board meetings who contact the Retirement Office at least 24 hours before a meeting.

13. Miscellaneous
 - a. Staff Report
 - b. Outside Professionals' Report
 - c. Trustees' comments

The Retirement Board will provide reasonable accommodations for persons with disabilities planning to attend Board meetings who contact the Retirement Office at least 24 hours before a meeting.

CALAFCO Daily Legislative Report as of Wednesday, February 05, 2014

February 12, 2014
 Agenda Item 14a

 1

[AB 453](#) (Mullin D) Sustainable communities.

Current Text: Amended: 7/3/2013 [pdf](#) [html](#)

Introduced: 2/19/2013

Last Amended: 7/3/2013

Status: 8/30/2013-Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/12/2013)

Desk	Policy	Fiscal	Floor	Desk	Policy	2 year	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The Strategic Growth Council is required to manage and award grants and loans to a council of governments, metropolitan planning organization, regional transportation planning agency, city, county, or joint powers authority for the purpose of developing, adopting, and implementing a regional plan or other planning instrument to support the planning and development of sustainable communities. This bill would make a local agency formation commission eligible for the award of financial assistance for those planning purposes.

Attachments:

[CALAFCO Support Letter_03_12_13](#)

Position: Watch

Subject: Sustainable Community Plans

CALAFCO Comments: This would allow LAFcos to apply directly for grants that support the preparation of sustainable community strategies and other planning efforts. CALAFCO has removed its support of the bill given the nature of the amendment and the potential impact to LAFcos.

[AB 678](#) (Gordon D) Health care districts: community health needs assessment.

Current Text: Amended: 4/15/2013 [pdf](#) [html](#)

Introduced: 2/21/2013

Last Amended: 4/15/2013

Status: 8/30/2013-Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/13/2013)

Desk	Policy	Fiscal	Floor	Desk	Policy	2 year	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would require that the health care district conduct an assessment, every 5 years, of the community's health needs and provide opportunities for public input. Commencing January 1, 2019, the bill would require the annual reports to address the progress made in meeting the community's health needs in the context of the assessment. This bill contains other related provisions and other existing laws.

Attachments:

[CALAFCO Letter of support April 17, 2014](#)

Position: Support

Subject: LAFCo Administration, Service Reviews/Spheres

CALAFCO Comments: This bill requires Health Care Districts that do not operate their own hospital facilities to create every 5 years, an assessment of the community health needs with public input. The bill requires LAFcos to include in a Municipal Service Review (MSR) the Health Care District's 5-year assessment.

[AB 1521](#) (Fox D) Local government finance: property tax revenue allocations: vehicle license fee adjustments.

Current Text: Introduced: 1/16/2014 [pdf](#) [html](#)

Introduced: 1/16/2014

Status: 1/17/2014-From printer. May be heard in committee February 16.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Beginning with the 2004-05 fiscal year, current law requires that each city, county, and city and county receive additional property tax revenues in the form of a vehicle license fee adjustment amount, as defined, from a vehicle license fee property tax compensation fund that exists in each county treasury. Current law requires that these additional allocations be funded from ad valorem property tax revenues otherwise required to be allocated to educational entities. This bill would modify these reduction and transfer provisions, for the 2014-15 fiscal year and for each fiscal year thereafter, by providing for a vehicle license fee adjustment amount calculated on the basis of changes in assessed valuation.

Position: Support

Subject: Financial Viability of Agencies, Tax Allocation

AB 1527 (Perea D) Public water systems: drinking water.

Current Text: Introduced: 1/17/2014 [pdf](#) [html](#)

Introduced: 1/17/2014

Status: 1/21/2014-From printer. May be heard in committee February 20.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would require the State Department of Public Health, in administering programs to fund improvements and expansions of small community water systems, and other water systems, as specified, to promote service delivery alternatives that improve efficiency and affordability of infrastructure and service delivery, as specified. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: Disadvantaged Communities, Municipal Services, Service Reviews/Spheres, Sustainable Community Plans

CALAFCO Comments: This bill requires funding for construction project feasibility studies to include studies of service delivery alternatives if at least 1 service agency services a disadvantaged community; also requires the DPH to make a determination to include the viability of these service delivery alternatives and to consider LAFCo studies and determinations from the previous 5 years, to consult with LAFCo Executive Officer and consider other applicable local/regional studies related t the delivery of drinking water.

SB 56 (Roth D) Local government finance: property tax revenue allocation: vehicle license fee adjustments.

Current Text: Amended: 6/11/2013 [pdf](#) [html](#)

Introduced: 1/7/2013

Last Amended: 6/11/2013

Status: 2/3/2014-Returned to Secretary of Senate pursuant to Joint Rule 56.

Dead	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Beginning with the 2004-05 fiscal year and for each fiscal year thereafter, existing law requires that each city, county, and city and county receive additional property tax revenues in the form of a vehicle license fee adjustment amount, as defined, from a Vehicle License Fee Property Tax Compensation Fund that exists in each county treasury. Current law requires that these additional allocations be funded from ad valorem property tax revenues otherwise required to be allocated to educational entities. This bill would modify these reduction and transfer provisions, for the 2013-14 fiscal year and for each fiscal year thereafter, by providing for a vehicle license fee adjustment amount calculated on the basis of changes in assessed valuation. This bill contains other related provisions and other existing laws.

Attachments:

[CALAFCO Letter of support April 10, 2013](#)

Position: Support

Subject: Financial Viability of Agencies, Tax Allocation

CALAFCO Comments: This bill reinstates revenues through ERAF (backfilled by the state general Fund) for cities incorporating after 2005 and annexations of inhabited territories.

SB 69 (Roth D) Local government finance: property tax revenue allocation: vehicle license fee adjustments.

Current Text: Amended: 9/12/2013 [pdf](#) [html](#)

Introduced: 1/10/2013

Last Amended: 9/12/2013

Status: 9/13/2013-Failed Deadline pursuant to Rule 61(a)(14). (Last location was RLS. on 9/12/2013)

Desk	Policy	Fiscal	Floor	Desk	2 year	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would modify specified reduction and transfer provisions, for the 2013-14 fiscal year and for each fiscal year thereafter, by providing for a vehicle license fee adjustment amount calculated on the basis of changes in assessed valuation. This bill would also modify these reduction and transfer provisions, for the 2013-14 fiscal year and for each fiscal year thereafter, by providing for a vehicle license fee adjustment amount for certain cities incorporating after a specified date, as provided. This bill contains other related provisions and other existing laws.

Position: Support

Subject: Tax Allocation

AB 1235 (Gordon D) Local agencies: financial management training.

Current Text: Vetoed: 10/7/2013 [pdf](#) [html](#)

Introduced: 2/22/2013

Last Amended: 9/6/2013

Status: 10/7/2013-Vetoed by the Governor

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

2/6/2014 #14 ASSEMBLY GOVERNOR'S VETOES

Summary:

Would require a local agency official, in local agency service as of January 1, 2014, or thereafter, except for an official whose term of office ends before January 1, 2015, to receive training in financial management if the local agency provides any type of compensation, salary, or stipend to, or reimburses the expenses of, a member of a legislative body. The bill would require the Treasurer's office and the Controller's office, in consultation with other state agencies, associations, and outside experts, to work together to develop standardized criteria that sufficiently meet specified requirements. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: LAFCo Administration

CALAFCO Comments: Requires that if a local agency provides any type of compensation, salary, or stipend to, or reimburses the expenses of, a member of the legislative body, the member shall receive one-4 hour state mandated Financial Management training per term of office. Effective January 1, 2014 for those in office as of that date (whose term of office extends beyond January 1, 2015). Those elected to more than one legislative body may take the training one time and have it apply to all legislative bodies on which they serve. This would apply to a LAFCo Commissioner who receives a stipend or is reimbursed for expenses in the performance of their Commissioner duties.

AB 543 (Campos D) California Environmental Quality Act: translation.**Current Text:** Amended: 5/24/2013 [pdf](#) [html](#)**Introduced:** 2/20/2013**Last Amended:** 5/24/2013**Status:** 7/12/2013-Failed Deadline pursuant to Rule 61(a)(10)(SEN). (Last location was E.Q. on 6/13/2013)

Desk	Policy	Fiscal	Floor	Desk	2 year	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would require a lead agency to translate, as specified, certain notices required by the California Environmental Quality Act and a summary of any negative declaration, mitigated negative declaration, or environmental impact report when a group of non-English-speaking people, as defined, comprises at least 25% of the population within the lead agency's jurisdiction and the project is proposed to be located at or near an area where the group of non-English-speaking people comprises at least 25% of the residents of that area. By requiring a lead agency to translate these notices and documents, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Position: Watch**Subject:** CEQA

CALAFCO Comments: As amended, requires a lead agency to translate certain notices, summary of a negative declaration, mitigated negative declaration, or environmental impact report when the impacted community has 25% or more non-English speaking people affected by the project. The requirement is to translate these notices and summaries in the native language of those impacted. This is an unfunded mandate. While LAFCo is not typically the lead agency, there may be an occasion when they are, and this could have significant resource implications.

AB 642 (Rendon D) Publication: newspaper of general circulation: Internet Web site.**Current Text:** Introduced: 2/20/2013 [pdf](#) [html](#)**Introduced:** 2/20/2013**Status:** 1/24/2014-Failed Deadline pursuant to Rule 61(b)(2). (Last location was JUD. on 3/11/2013)

Desk	Dead	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law requires that various types of notices are provided in a newspaper of general circulation. Current law requires a newspaper of general circulation to meet certain criteria, including, among others, that it be published and have a substantial distribution to paid subscribers in the city, district, or judicial district in which it is seeking adjudication. This bill would provide that a newspaper that is available on an Internet Web site may also qualify as a newspaper of general circulation, provided that newspaper meets certain criteria.

Position: Watch**Subject:** LAFCo Administration

CALAFCO Comments: Allows for posting of agendas and meeting material on newspaper websites.

AB 677 (Fox D) Local government finance: property tax revenue allocation: vehicle license fee adjustments.**Current Text:** Amended: 1/6/2014 [pdf](#) [html](#)**Introduced:** 2/21/2013**Last Amended:** 1/6/2014**Status:** 1/17/2014-Failed Deadline pursuant to Rule 61(b)(1). (Last location was L. GOV. on 1/7/2014)

Desk	Dead	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would modify specified reduction and transfer provisions, for the 2013-14 fiscal year and for each fiscal year thereafter, by providing for a vehicle license fee adjustment amount calculated on the basis of changes in assessed valuation. This bill would also modify these reduction and transfer provisions, for the 2013-14 fiscal year and for each fiscal year thereafter, by providing for a vehicle license fee adjustment amount for certain cities incorporating after a specified date, as provided. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: Financial Viability of Agencies, Tax Allocation

SB 633 (Pavley D) CEQA.

Current Text: Amended: 8/6/2013 [pdf](#) [html](#)

Introduced: 2/22/2013

Last Amended: 8/6/2013

Status: 8/30/2013-Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. on 8/6/2013)

Desk	Policy	Fiscal	Floor	Desk	Policy	2 year	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would, for purposes of the new information exception to the prohibition on requiring a subsequent or supplemental EIR, specify that the exception applies if new information that becomes available was not known and could not have been known by the lead agency or any responsible agency at the time the EIR was certified as complete. The bill would authorize the office, by July 1, 2015, to draft and transmit to the secretary revisions to the guidelines to include as a categorical exemption projects involving minor temporary uses of land and public gatherings that have been determined not to have a significant effect on the environment. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: CEQA

SB 731 (Steinberg D) Environment: California Environmental Quality Act.

Current Text: Amended: 9/9/2013 [pdf](#) [html](#)

Introduced: 2/22/2013

Last Amended: 9/9/2013

Status: 9/13/2013-Failed Deadline pursuant to Rule 61(a)(14). (Last location was L. GOV. on 9/11/2013)

Desk	Policy	Fiscal	Floor	Desk	2 year	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would provide that aesthetic and parking impacts of a residential, mixed-use residential, or employment center project, as defined, on an infill site, as defined, within a transit priority area, as defined, shall not be considered significant impacts on the environment. The bill would require the Office of Planning and Research to prepare and submit to the Secretary of the Natural Resources Agency, and the secretary to certify and adopt, revisions to the guidelines for the implementation of CEQA establishing thresholds of significance for noise and transportation impacts of projects within transit priority areas. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: CEQA

SB 772 (Roth D) Drinking water: County Water Company of Riverside water system: liability.

Current Text: Amended: 1/6/2014 [pdf](#) [html](#)

Introduced: 2/22/2013

Last Amended: 1/6/2014

Status: 2/3/2014-Returned to Secretary of Senate pursuant to Joint Rule 56.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would exempt the Elsinore Valley Municipal Water District and the Eastern Municipal Water District from liability for claims by past or existing County Water Company of Riverside customers or those consuming water provided through the County Water Company of Riverside water system concerning the operation and supply of water from the County Water Company of Riverside water system during the interim operation period, as specified, for any good faith, reasonable effort using ordinary care to assume possession of, and to operate and supply water to , the County Water Company of Riverside water system. This bill contains other related provisions and other existing laws.

Attachments:

[CALAFCO Letter Removing Opposition September 9, 2013](#)

[CALAFCO Letter of Opposition April 10, 2013](#)

Position: Watch

Subject: Water

CALAFCO Comments: As amended, this bill would exempt the Elsinore Valley Municipal Water District and the Eastern Municipal Water District from liability for injuries or damages arising out of the delivery of water to County Water Company of Riverside customers, as specified. As amended this bill no longer references Local Agency Formation Commissions (LAFCo) to take on the responsibility of monitoring private water companies. As a result of removing any and all references to LAFCo, CALAFCO has removed its opposition to the bill and now has a Watch position.

Total Measures: 13

Total Tracking Forms: 13

2/5/2014 11:49:30 AM

**CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
PENDING PROPOSALS – FEBRUARY 12, 2014**

February 12, 2014
Agenda Item 14b

LAFCO APPLICATION	RECEIVED	STATUS
West County Wastewater District Annexation Nos. 310 and 312: proposed annexation of 3.33± acres located at 39 Kirkpatrick Drive and 5527 Sobrante Avenue in El Sobrante	11/7/08	Incomplete; awaiting info from District
UCB Russell Research Station (RRS): proposed SOI amendment to East Bay Municipal Utility District (EBMUD) of 313± acres located on Happy Valley Road, southeast of Bear Creek Rd, and north of the Lafayette city limits (with concurrent annexation application)	11/25/08	Incomplete; awaiting info from applicant
UCB RRS: proposed annexation of 313± acres to EBMUD	11/25/08	Incomplete
Laurel Place/Pleasant View Annexation to City of Concord: proposed annexation of 5.86± acres located on Laurel Dr and Pleasant View Ln	5/8/09	Pending property tax exchange agreement
Highlands Ranch Phase II SOI Amendment: proposed SOI amendments to the cities of Antioch (reduction) and Pittsburg (expansion) of 194± acres located east of Pittsburg city limits, within Antioch Somersville Road Corridor Planning Area	10/23/09	Incomplete; awaiting info from applicant
Discovery Bay Community Services District (DBCSD) SOI Amendment (Newport Pointe): proposed SOI expansion of 20± acres bounded by Bixler Road, Newport Drive and Newport Cove (with corresponding annexation application)	7/28/10	Incomplete; awaiting info from applicant
DBCSD Annexation (Newport Pointe): proposed annexation of 20± acres to supply water/sewer services to a 67-unit single family residential development	7/28/10	Incomplete; awaiting info from applicant
Bayo Vista Housing Authority Annexation to RSD – proposed annexation of 33± acres located south of San Pablo Avenue at the northeastern edge of the District's boundary	2/20/13	Pending
City of Martinez Out of Agency Service Request - – request to extend water services to a 0.82± acre parcel located at 172 Gordon Way in Alhambra Valley	5/31/13	Pending

Richmond council urges Kaiser to provide millions to beleaguered West Contra Costa hospital

By Robert Rogers Contra Costa Times Contra Costa Times

Posted:

February 12, 2014
Agenda Item 14c

Thursday, January 9, 2014
ContraCostaTimes.com

RICHMOND -- With West Contra Costa's only public hospital in danger of closing, pressure is building to find outside funding sources before Doctors Medical Center runs out of money.

On Tuesday, the Richmond City Council urged Kaiser Permanente to provide emergency funding to keep the San Pablo hospital open this year.

"West County will have a health crisis if we close," said Eric Zell, board chairman of the West Contra Costa Healthcare District, which owns and operates the hospital. "We are not crying wolf."

The five present council members voted to support a resolution that calls on Kaiser to provide bridge funding to DMC to maintain operations until a new institutional partner can be secured. Without funding, the hospital could close by May.

"Doctors Medical Center is a vital part of our community's medical safety net," said Councilman Jim Rogers, one of the resolution's co-sponsors. "We are very concerned."

The West Contra Costa Healthcare District board declared a fiscal emergency for the hospital in November.

At the time, interim hospital CEO Dawn Gideon said Doctors has been hemorrhaging \$1.5 million per month for the past two years and faces a growing deficit crisis that requires deep cuts, new funding streams and partnerships with other hospitals to avert closure.

The Richmond resolution has no power to force any action.

DMC spokeswoman Remy Goldsmith said hospital officials have been exploring "all potential (funding) sources, including Kaiser, John Muir Medical Center, the county and other private sources." One possibility is a partnership with UCSF Medical Center in San Francisco.

"But it will take at least 18 months for anything to be codified with any strategic partner," Goldsmith said. "To get to that point, we need funding."

The hospital, which mostly cares for MediCal and Medicare patients, has been in financial turmoil for years. In the past decade, Kaiser has already given the hospital about \$13 million to sustain operations, and county voters approved parcel taxes to support DMC in 2004 and 2012, Zell said.

In a funding proposal sent to Kaiser in November, Zell requested up to \$20 million from the Kaiser Foundation to continue operations while exploring a potential partnership with UCSF.

Kaiser Permanente spokesman Jessie Mangaliman released a statement Tuesday saying the hospital is "currently evaluating that request."

Mangaliman added that Kaiser Permanente shares "a mutual concern about access to care for underserved residents of Richmond and West Contra Costa County" and has provided financial support to DMC in the past.

DMC has 25 emergency room beds, and Kaiser has 15, according to county Supervisor John Gioia, who also urged Richmond to pass the resolution.

John Muir Health spokesman Ben Drew said Wednesday his agency gave \$3 million to Doctors Medical between 2008 and 2010. He said John Muir has not been contacted by DMC for additional funding.

DMC released a statement Tuesday saying it "welcomes the city of Richmond's support during this time and appreciates the efforts of Richmond's City Council to raise awareness about the severity of our situation."

The city's resolution notes that 38 percent of DMC's patients are Richmond residents.

"DMC is the only public, safety net hospital in western Contra Costa County," the agenda report reads. "Its closure would significantly impact the community and the wait times at Kaiser Richmond."

Kaiser operates the only other emergency room in West County.

DMC, which receives more than 40,000 emergency room patients annually, faces a \$16 million budget shortfall this year, Goldsmith said. DMC officials are expected to give a report to San Pablo's leaders on Tuesday, San Pablo City Manager Matt Rodriguez said.

"DMC is the city's largest employer and provides essential medical services to many uninsured residents in our community," Rodriguez said, adding that he supports a long-term partnership between the hospital and UCSF.

Zell said the hospital board must decide within 30 days whether to forge ahead or begin preparations for closure.

DMC's closure could mean significant increases in emergency room wait times, said Councilman Jael Myrick, and lives could potentially be imperiled.

"It could be the difference between life and death," Myrick said.

Contact Robert Rogers at 510-262-2726 or rrogers@bayareanewsgroup.com. Follow him at [Twitter.com/SFBaynewsrogers](https://twitter.com/SFBaynewsrogers).

Annexation nears for land northeast of Antioch

By Paul Burgarino Contra Costa Times Contra Costa Times

Posted:

Thursday, January 9, 2014
InsideBayArea.com

MARTINEZ -- The Contra Costa County agency that oversees local government boundary changes gave the go-ahead Wednesday to Antioch's plan to annex 678 acres to its northeast.

But don't redraw those maps just yet.

The Contra Costa Local Agency Formation Commission unanimously approved two main pieces of a complex proposal package by the city and county for the industrial waterfront land, despite objections from a handful of residents who live in the rural area off Viera Avenue that they were being deprived of a protest vote.

The land in question is divided into three swaths: 481 acres of industrial waterfront that include two natural gas-fired power plants; 103 acres of established rural properties off Viera Avenue; and 94 acres for marina and storage uses. The marina annexation will be considered at the commission's February meeting, officials said.

The annexation will not be a done deal until a protest hearing is held for the dozen property owners on the waterfront piece of land. The hearing won't take place for at least 30 days. Much of Wednesday's meeting focused on the residential area by Viera, as commissioners determined it met the state's "land islands" criteria and waived the right for owners of the roughly 110 properties to vote on the matter.

Under state law, a county formation commission can approve annexation without a vote of property owners or registered voters for unincorporated land smaller than 150 acres and substantially surrounded by a city or adjacent cities.

"We're not taking rights away; we're following the law," commissioner Dwight Meadows said.

Attorney Scott Jenny says Viera became a land island when it was "artificially chopped up," and the whole 678 acres should be considered together, which would allow for residents to have a say.

"It feels like this is being steamrolled through and we don't have a voice," resident Carey Mitosinka said.

Meadows, who has been the most vocal on the formation commission about the slow pace of this annexation, and others lauded the work to try to accommodate the residents.

"I was thoroughly impressed at the effort Antioch made to address every concern. You just don't see that happen," said commissioner Don Blubaugh, a longtime city manager. "I'm convinced this will help that community and really be a net gain."

Antioch and the county will contribute \$3 million apiece over 10 years to add water, sewer and storm drains, with Antioch covering the rest with grants and loans. Antioch also says it will allow residents to continue using septic tanks and water wells, provided they meet county health standards.

The city also included a provision where it will help residents cover the \$18,000 to \$20,000

connection costs to city water and sewer lines. It is also looking into zoning that reflects the rural character of the area, including preserving narrow streets and private roads, livestock, vineyards and home-based businesses.

"Our two goals are we do not want this to cost those residents, and we want to preserve the character of that area," Mayor Wade Harper said.

He expressed his excitement about the decision, and the city's efforts finally coming to fruition.

Antioch first applied for annexation of the industrial piece of land in 2007 but was later directed by the formation commission to include the Viera area, which drew international attention in 2009 because of the Jaycee Dugard kidnapping.

Local leaders see the area as a golden opportunity to boost its economy, estimating it could yield nearly \$1 million in net tax revenue each year and provide other economic opportunities on the waterfront. Both Antioch and the county plan to set aside \$500,000 over the next five years to boost area economic development initiatives.

Contact Paul Burgarino at 925-779-7164. Follow him at [Twitter.com/paulburgarino](https://twitter.com/paulburgarino).

Forum looks at boosting Contra Costa's northern waterfront

By Paul Burgarino Contra Costa Times Contra Costa Times

Posted:

Saturday, January 10, 2014
ContraCostaTimes.com

ANTIOCH -- The industrial-heavy waterfront on the northern part of Contra Costa County once played the most pivotal role in the local economy.

But, after decades of declining employment and some neglect, an initiative is under way to bring vitality -- and more jobs -- back into the 55-mile stretch from Hercules to Oakley.

About 400 business leaders, local and state lawmakers and other stakeholders attended a forum Friday at the Antioch Community Center looking at how the area can be enhanced so it is competitive in the 21st century global economy.

"When we learned today is that we have a shared vision that the waterfront needs to be revitalized. We're on the right track," county Supervisor Federal Glover of Pittsburg told those in attendance.

Glover started the Northern Waterfront Economic Development initiative early last year. It calls for improving maritime and land-based resources to encourage development of vacant and underused industrial lands in the absence of redevelopment programs.

But to do that, Glover said, stakeholders must stay engaged and promote the idea.

A report released at the event conducted by Gary Craft of Craft Consulting Group identified seven ways to make the shoreline more competitive, including developing a regional marketing program similar to how the 680 Corridor and Silicon Valley are distinguishable by name, and boosting workforce development with a more robust manufacturing job training system.

The waterfront does have several things in place already, including deep-water shipping channels, undeveloped riverside land zoned for industrial use, clusters of uses such as oil refineries, food processing plants and chemical plants, and accessible railroad lines and roads.

Kish Rajan, director of Gov. Jerry Brown's office of business and economic development, said that it was good to see a lot of local enthusiasm around the initiative, given that there are a lot of challenges in renewing the waterfront.

The governor's office is talking about some of the same things the Contra Costa stakeholders are looking at, including the essential nature of industry in the economy and thinking regionally rather than city by city, Rajan said.

"Contra Costa County and the East Bay are better equipped than any other place in the country to be able to wrestle through how do we have a growing and thriving industrial economy output, and harmonize that with environmental and community health objectives," he said.

Sean Wright, CEO of the Antioch Chamber of Commerce and a founder of the EC2 group, said his goal is to improve the local quality of life so that residents have "jobs where they live."

Some of the next steps include creating action teams, developing an action plan, and continued public and private collaboration.

"This is a starting point, and now we're going to finish it up," Glover said.

Part 1 of Friday's forum will air on Contra Costa television at 7 p.m. Tuesday and January 21. The second part will air on those days at 9 p.m.

CCTV can be seen on Comcast Channel 27, Astound Channel 32, and AT&T U-Verse Channel 99. For additional air dates, visit www.contracostatv.org.

Contact Paul Burgarino at 925-779-7164. Follow him at [Twitter.com/paulburgarino](https://twitter.com/paulburgarino).

MARTINEZ NEWS-GAZETTE

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[Homeowners in neighboring cities protest annexations](#)

[Darya Esipova](#) | [January 12, 2014](#) | [0 Comments](#)
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The Contra Costa Local Agency Formation Commission (LAFCO or the commission) met Jan. 8 for its first regular meeting of the year. Members of the commission elected a chair and vice chair for 2014, and worked on annexation of the lands in Danville, Rodeo, and Antioch.

LAFCO elected Special District member Dwight Meadows a chairman and City member Rob Schroder a vice chairman to serve the following year.

The commission ordered the annexation of 28-plus acres that are located in five separate areas in the community of Alamo and Danville to Central Contra Costa Sanitary District, in order to provide for logical boundaries and to allow for the extension of sewer services to the properties.

The next agenda item that the commission was working on was the annexation of 28-plus acres at the Rodeo Marina to Rodeo Sanitary District. This territory includes the northwestern edge of Rodeo by the San Pablo Bay. A public hearing was held, and the annexation was approved; the next step the commission will take is to hold a protest hearing.

Then the commission was considering the annexation of 481-plus acres of PG&E to Antioch and Delta Diablo Sanitation District (DDSD), and this area is located between San Joaquin River, Highway 160 and the City of Antioch. The annexation is needed in order to provide municipal services to the heavily industrialized area. Another annexation that was considered by the commission is area 2B of Northeast Antioch to the City of Antioch and DDSD. It is 103-plus acres of land on the south of Wilbur Avenue.

During the public hearings on these two Antioch annexations, the Mayor of Antioch, Wade Harper, and a consultant for the City of Antioch, Victor Carniglia, made comments in support of the annexations. Attorney Scott Jenny, who represents landowners John and Carey Mitosinka that live in Antioch, protested against the annexation. In his official letter, he said “their property is considered as an island surrounded by the city to which annexation is proposed, and dividing islands into smaller segments, avoiding the landowner protest proceedings is not permitted.”

Besides the attorney, another landowner from Antioch named Ken Wentworth, protested against the annexations, but he didn't believe that it would help because at least 50 percent of the landowners of the area have to protest in order to stop annexation. Either way, the protest hearing on these annexations will be held no earlier than in one month.

The last agenda item of the meeting was the annexation of the area 168C to Central Contra Costa Sanitary District. It includes 16.42-plus acres, and the commission received a report from staff and provided comments as desired.

The next regularly scheduled LAFCO meeting will take place Feb. 12 in the Board of Supervisors Chambers at 651 Pine St., Martinez. The public is encouraged to attend.

Tags: [Alamo](#), [Antioch](#), [Contra Costa Local Agency Formation Commission](#), [Danville](#), [DDSD](#), [Delta Diablo Sanitation District](#), [Dwight Meadows](#), [LAFCO](#), [Martinez](#), [Rob Schroder](#), [Rodeo](#), [Special District](#), [Victor Carniglia](#)

Category: [General News](#)



About the Author ([Author Profile](#))

Darya Esipova is a journalist currently living in Concord, Calif. She is a graduate of journalistic training with the British Institute for War and Peace Reporting. Esipova originates from the Post-Soviet country Uzbekistan, where she was persecuted for her work. She focuses on covering social, ecological and human rights issues.

New rules would restrict new salt-based water softeners in Discovery Bay

By Paul Burgarino Contra Costa Times Contra Costa Times

Posted:

Monday, January 13, 2014
ContraCostaTimes.com

DISCOVERY BAY -- This far east Contra Costa town has had some hard times dealing with its hard water.

But that soon may change.

Discovery Bay's Community Services District board approved new rules last week banning the installation of water softeners that use sodium, potassium, or chloride and discharge the salt solution into sewer lines.

The new ordinance, which will take effect in a month, says consumers can still use membrane-based or carbon-based water softeners. Also, those with existing salt-based units can keep them until it's time to install a new one.

Discovery Bay has faced fines from the state over the years for the high salinity levels its wastewater contains when it is discharged into Old River.

Board member Kevin Graves, who sits on the district's water and wastewater committee, says the town is just above the state levels and works closely with officials.

"They understand that it's a hard limit to reach, but with new homes and development, they won't be as flexible," Graves said.

In 2011, Discovery Bay accrued \$3,000 in fines by the state's Regional Water Quality Control Board for having too much salinity in its discharged water, but no fines in 2012, general manager Rick Howard said. The district has not heard about fines for 2013, though it went over close to the same amount as 2011, Howard said.

The hope, officials say, is that getting rid of the softeners will improve the environment and save ratepayers money.

"This is going to help us protect the Delta ecology and be responsible for those waters in our own backyard," Graves said.

Unlike other Bay Area towns and agencies that draw water from aboveground sources such as the Delta or the Hetch Hetchy reservoir, Discovery Bay's water comes solely from ground wells.

Gregory Harris, an engineer with Herwit Engineers, who works for the district, explains that water isn't as pure and already starts with some minerals in it that make it feel hard. When combined with the salt from people and water softeners, the brine level in the collected wastewater exceeds state levels.

Last year, Discovery Bay engineers conducted a study to determine possible origins of the salty wastewater. After testing the softeners of 60 voluntary residents for a few weeks, both with and without water softeners in use, Harris said it was determined that the amount of wastewater brine lessened by about 28 percent without the softeners.

"The research showed there was a direct relationship with the softeners and the salinity," Graves said.

Though not an attention-grabbing topic in the Bay Area, the water softener issue has been examined for the past few years at the state level.

Santa Clarita County became the first state municipality to ban water softeners in 2008. In 2009, California authorized local agencies be allowed to impose bans on water softeners if it is found to protect water quality.

"It's been a contentious issue in the Central Valley for years," Harris said.

After Discovery Bay's ordinance is implemented, the district plans to launch an information campaign telling residents and future home contractors about the rules.

Contact Paul Burgarino at 925-779-7164. Follow him at [Twitter.com/paulburgarino](https://twitter.com/paulburgarino).

County fire study to be discussed at town hall meeting in Martinez

By Tom Lochner Contra Costa Times Contra Costa Times

Posted:

Thursday, January 16, 2014
ContraCostaTimes.com

MARTINEZ -- A draft operational study of the Contra Costa County Fire Protection District will be the subject of a town-hall meeting in Martinez next week.

Last year, the county board of supervisors, in its capacity as fire district board, contracted with Fitch and Associates LLC to study the district's operations and make recommendations for future service delivery.

The District has been hit by budget cuts that have forced the closure of five fire stations -- in Walnut Creek, Clayton, Martinez, Lafayette and Pittsburg -- since a November 2012 parcel tax measure went down to defeat. Measure Q, which would have assessed homeowners \$75 a year, gathered 53 percent yes votes, far short of the required two-thirds.

In addition to the fire station closures, one of two companies were taken out of service at a Walnut Creek station and at a Concord station.

The county fire district currently staffs 23 stations with 23 three-person crews and 69 firefighters on duty each day, said Fire Marshal Lewis Broschard, who is the district's public information officer. A two-person squad operating a medical response vehicle is serving at the downtown Walnut Creek station as part of a pilot program that will be re-evaluated in March.

The town hall meeting will include a public education component regarding the draft study and a public forum.

A copy of the draft operational study is available for public review in the Office of the Clerk of the board of supervisors, 651 Pine St., 1st Floor, Martinez, CA 94553. The report also is available online at <http://www.cccounty.us/ConFireStudy>.

The public comment period closes at 5 p.m. Jan. 31. Comments can be submitted by email to timothy.ewell@cao.cccounty.us; or by regular mail to the County Administrator's Office, Attn: Fitch Study -- Public Comment, 651 Pine St., 10th Floor, Martinez CA 94553; or by phone at 925-335-1036.

The consultant is expected to present its findings to the board of supervisors Feb. 25.

Contact Tom Lochner at 510-262-2760 or tlochner@bayareanewsgroup.com. Follow him at twitter.com/tomlochner

if you go

What: Town-hall meeting

Where: Board of Supervisors chamber, 651 Pine Street, 1st Floor, Room 107, Martinez

When: 6 p.m., Jan. 22

Barnidge: No quick fixes for Confire's money problems in Fitch report

By Tom Barnidge Contra Costa Times Columnist Contra Costa Times
Posted:

Friday, January 17, 2014
ContraCostaTimes.com

It's been 13 months in the making, but a consultant's analysis of the Contra Costa Fire District finally was released this week and now awaits public feedback.

Here's mine: The 150-page "Evaluation and Options Appraisal" authored by Fitch & Associates is filled with enough figures, charts and graphs to obscure the fact that it offers no instant solutions for the district's financial problems.

When the county Board of Supervisors, acting as the fire district's governing board, commissioned a \$460,000 study in December 2012, it clearly was seeking a more cost-efficient operating model. Strapped for funding by reduced property taxes and burdened by costly retirement benefits, the district has operated at a deficit since 2009.

The yearlong study, commissioned after voters rejected a \$75-a-year parcel tax, dissects every aspect of the operation, from dispatch standards to response times to call volumes to time on tasks. But one thing is undeniably missing.

"I haven't seen how it's going to save us money," Supervisor Candace Andersen said.

She didn't say it dismissively. Andersen still finds value in the report as a "great starting point" for maximizing efficiencies in the district. Supervisor Karen Mitchoff, who never expected an instant fix, said "it shows us how to best use our dollars."

The report indicates that better protocol by dispatchers -- quicker identification of emergency needs -- will reduce the time between incoming calls and service assignments. Shorter "chute" time -- from when firefighters are alerted until the truck is out the door -- could further trim response time.

The report also breaks down demands on firefighters' time. ConFire, for instance, spends more hours providing mutual aid to neighboring agencies than it receives. And while 78 percent of all calls are for medical emergencies, firefighting accounts for 44 percent of time on task.

The only mention of staffing models comes in the "Options Going Forward:" 1) Stick with the status quo, which hardly seems likely; 2) Break up some of the 23 three-person engine teams into two-person medical units, adding response teams with no additional staffing; 3) Replace a percentage of retiring firefighters with lower-salaried EMTs. That would lower the payroll, but not for a long time.

Fire Captain Vince Wells, president of Local 1230, said there's useful information in the report, but that it oversimplifies things. The finding that response times barely suffered after four station closures measures only the first vehicle's time. Structure fires require five or more trucks -- how long till they arrive?

He's also troubled by breaking up engine teams, the option the supervisors seem to prefer, because it takes fire trucks off the street. "The other day," he said, "we had a fire in Antioch, a fire in Orinda and a fire in Walnut Creek. Emergencies don't always happen one at a time."

How much will operations change as a result of the report is anybody's guess, but it serves at least one important purpose.

"If we ever go back to the voters for another parcel tax," Andersen said, "I want to be able to tell them we've done everything we can to be more efficient."

The report is available at www.cccounty.us/ConFireStudy, and the public is invited to comment at a town-hall meeting 6 p.m. Wednesday in the Board of Supervisors chambers.

If you have an instant solution, speak up, because the consultants sure didn't find one.

Contact Tom Barnidge at tbarnidge@bayareanewsgroup.com.

Chico City Council to respond to annexation allegations from LAFCo

By ASHLEY GEBB-Staff Writer Chico Enterprise-Record

Posted:

Monday, January 20, 2014
Chicoer.com

CHICO — On Tuesday, the City Council will be asked to address allegations by the Local Area Formation Commission that the city has not done an acceptable job annexing county islands, and a related request to begin widespread immediate annexation of various county islands.

The matter results from a December letter from LAFCo that addresses a request by the city to waive usual processing fees for alleged illegal sewer connections and to grant special dispensation from a policy requiring annexation of parcels contiguous to the city.

While the agency appreciates the city's financial situation, Chair Carl Leverenz wrote it is prepared to work together to accommodate concerns but not compromise on its policies.

At the heart of the matter is 62 sewer connections done without LAFCo approval and \$115,600 in rightfully owed connection fees. It also states the city will need to apply to annex 26 parcels that have been connected to the sewer and are contiguous to the city, and need to pay the application processing cost.

The letter offered two options, the first of which is for the city to enter a binding master annexation agreement that includes a comprehensive extension of services authorization. The agreement at minimum would require the City Council to initiate immediate annexation of the Chapman, Mulberry, Forest Avenue and East Lassen Avenue unincorporated areas.

The second option is for extension approval and annexation for the 62 illegal connections, along with an application processing fee of \$37,200. It would also require initiation of annexation of the 26 parcels, with full cost recovery, and reimbursement to LAFCo of \$17,606 for staff time spent working on the unauthorized sewer connection issue.

Both alternatives are "limited and financially untenable," the city staff report states. City Manager Brian Nakamura is recommending the City Council give direction to staff on the provided alternatives or direct staff to seek a different alternative, which could be provided to LAFCo.

City staff recommends the council consider the first alternative — with a seven-to-10-year annexation window, which would give the city adequate time to ensure fiscal recovery before realizing additional financial burden.

The staff report also responds to LAFCo's allegations that the city "cherry-picked" only the best and highest-valued areas for annexation, and that the city has denied "environmental justice" to lower-income families living in islands the city has yet to annex.

In the past 10 years, the city has annexed 35 county islands or portions thereof, which increased city limits by 2,300 acres and brought in 6,100 homes with 14,000 residents — an amount city staff equates to a city the size of Oroville.

"For LAFCo to infer and/or suggest that the city has been uncooperative with respect to island annexations discounts our efforts to date and significantly interferes with our efforts to improve relations with the panel," the staff report states.

LAFCo's allegation that the city has annexed only "the cream of the crop," deliberately passing over the Chapman-Mulberry and Stewart Avenue neighborhoods is not true, the staff report states. Also remaining to be annexed are larger islands including Chico Canyon Road and the El Monte neighborhood, which have expensive residences with considerable affluence.

The report states that the Chapman-Mulberry neighborhood for decades has desired to remain a "county-type" area with its own identity and culture, which the city respects and will honor.

Also Tuesday, the council is expected to consider a five-year development impact fee report and update to the sanitary sewer master plan.

The council will also consider adoption of memorandums of understanding and pay and benefits resolutions between the city and four of its bargaining groups. After months of negotiations, they have reached contractual agreements that will result in more than \$2 million in savings to the city because of concessions by employees.

The International Association of Firefighters Local No. 2734 generated the most savings, nearly \$1.8 million over three years.

Additional two-year savings are from the confidential employee group with \$9,900, \$92,000 from the Chico Employees Association, and \$150,000 from the management employee group.

Reach Ashley Gebb at 896-7768, agebb@chicoer.com, or on Twitter @AshleyGebb.

Public meeting

Chico City Council

6:30 p.m. Tuesday

City Council Chambers,

421 Main St.

Pittsburg City Council OKs higher rates for water bills

By Eve Mitchell Contra Costa Times Contra Costa Times

Posted:

Thursday, January 23, 2014
ContraCostaTimes.com

PITTSBURG -- Residents and businesses will pay more for water starting in March under a proposal that was unanimously adopted by the City Council.

Council gave approval Tuesday to raising water rates 3.5 percent annually over four years. That is slightly less than the original proposal that called for rates to increase 4 percent annually over four years.

Starting in March, the average residential water bill will go from \$63.45 to \$66.01 a month based on usage of 350 gallons a day under the 3.5 percent hike. Sewer rates would stay the same, which means the monthly rate for combined water and sanitary service for the average residential customer will rise from \$79.24 to \$81.31. Qualified low-income seniors who are at least 62 years old, and all disabled residents, would also see a larger discounted rate to offset the increase. That means that the current \$7.24 discount applied to the water portion of bills would be increased to \$8.69 per month for those who qualify. The annual household income limit required to qualify for a discounted rate is \$11,640, a cap that does not include Social Security payments. Currently, 726 residential customers received discounted rates.

The higher rates are needed to help pay for operations, ongoing maintenance and improvements to the city's water treatment and delivery system and to cover higher costs for buying water from the Contra Costa Water District, according to a staff report.

Comparable rates in the region for water service only are \$63.88 for the Contra Costa Water District, which serves Concord, Pleasant Hill and Clayton, \$75.04 in Martinez, \$87.03 in Bay Point and \$52.38 in Brentwood, which does not include costs for water softening. (Contra Costa Water District rates are expected to increase by 3.2 percent in April, while Brentwood's are expected to go up 3 percent in July)

Before the vote was taken, Councilwoman Nancy Parent made a motion to vote on the original 4 percent increase that was recommended in the staff report.

"We need to raise the rates. Our rate is reasonable with regard to other cities in the area," she said.

But Vice Mayor Pete Longmire and Councilman Ben Johnson said they would support rates going up 3 percent a year, along with a bigger discount for low-income seniors and disabled residents.

"We need to reduce the rate a little bit more than 4 percent," Johnson said.

"I also think the senior and disabled demographic in the city should be given a further deduction," Longmire said.

"Staff is comfortable if you want to lower rates down to 3.5 percent. We can work with that (along with the larger discounted rate)," City Manager Joe Sbranti said before the vote was taken.

The newly approved rate hike follows a 4 percent yearly increase for combined water and sewer rates that started in January 2010.

Contact Eve Mitchell at 925-779-7189. Follow her at [Twitter.com/EastCounty_Girl](https://twitter.com/EastCounty_Girl).

Contra Costa Fire and EMS study seeks short-term fixes, with another tax measure looming

By Tom Lochner Contra Costa Times Contra Costa Times
Posted:

Friday, January 24, 2014
ContraCostaTimes.com

MARTINEZ -- A long-awaited consultant's report on the Contra Costa Fire District proposes ways to optimize emergency medical and fire response within current severe fiscal limitations, until voters face another tax initiative, likely in two or three years.

The report, by Fitch and Associates LLC, was the subject of a special town hall meeting Wednesday of the Board of Supervisors sitting as the fire board.

ConFire, which a few years ago operated 28 stations and 30 units spread over 304 square miles, is down to 23 stations, with 23 three-person crews, or 69 firefighters, on duty each day. A two-person medical response vehicle is currently deployed at the downtown Walnut Creek station as part of a pilot program that will be re-evaluated in March.

Voters rejected a November 2012 parcel tax measure that would have raised about \$17 million a year for the district. The consultants noted that the fire district would have to prove that it is serious about taking measures to tighten its own belt before asking residents to pay more.

"The public, who will be asked to support another tax initiative in the near future, wants to see that ConFire is embracing change to become more efficient and effective," the report states.

The consultants propose three service options:

-

Option 1: "Maintain Status Quo."

-

Option 2: "Three/Two Staffing" would convert four existing three-person engine companies to six two-person quick-reponse vehicles, which would require no personnel reductions and could potentially lead to reopening two stations.

This option would not reduce the total number of personnel on duty at any one time, but would deploy them differently. There would be 19 engine companies, each with a staff of three, and six two-person quick-response vehicles, for a total of 69 firefighters.

-

Option 3: A so-called "Single Patch" system under which the district would deploy some lower-salaried EMS (Emergency Medical Service) personnel in place of some dual-certified -- fire and EMS -- personnel, as firefighter attrition occurs. Currently, 78 percent of the district's calls are EMS-related, according to the report.

Wednesday's presentation highlighted mostly Option 2.

The fire district's 2014-15 fiscal year budget is projected at about \$106 million, with a revenue deficit of about \$10 million. Mandatory expenses related to pension bonds and current and unfunded retirement liabilities are slated to eat up about 40 percent of the budget in fiscal 2014-15, decreasing by about 1 percent each of the next two years.

The report laments the absence in the budget of provisions for vehicle and other capital replacements as equipment ages, leaving the district to scramble for occasional grants to meet minimal capital needs.

The report makes only brief mention of salaries, although several public comments point to high salaries and benefits as factors in the fire district's financial meltdown.

The consultant is expected to present its final report to the Board of Supervisors on Feb. 25.

Contact Tom Lochner at 510-262-2760. Follow him at [Twitter.com/tomlochner](https://twitter.com/tomlochner).

Moraga-Orinda Fire District could soon run out of cash

By Jennifer Modenessi Contra Costa Times Contra Costa Times

Posted:

Sunday, January 26, 2014
ContraCostaTimes.com

In just a few years, the Moraga-Orinda Fire District could find itself without any operating cash because it won't have enough capital fund money to borrow to keep its general fund afloat, according to a midyear budget review up for discussion Jan. 27.

A board finance committee is scheduled to look at the midyear financials before the full board reviews them Feb. 5.

The revised budget includes projections the district will deplete its capital projects fund during the 2016-17 fiscal year, based on existing expenses and revenue projections.

If that happens, the district won't be able to draw cash from that fund to help replenish its general fund, its reserves having been exhausted last year. Administrators say the district will have to keep using capital funds to sustain operations through fiscal year 2018-19. They plan to borrow \$700,000 from that fund this year to supplement the general fund; the capital fund balance was \$3.4 million at the end of last year.

"We'll be out of cash, basically -- there won't be any money" said Administrative Services Director Gloriann Sasser, adding that the district was addressing the situation through labor negotiations now heading into their fourth year.

According to the budget, the district is expecting to pay \$30,000 more than budgeted this fiscal year for a professional services labor negotiator. The expired union contracts currently eat up about 91 percent of the district's general fund revenue.

Other revisions detailed in the report include:

-

A projected increase in property tax revenue of \$153,000 more than originally expected. It is estimating total property tax revenue of \$14.5 million, which does not include \$2.8 million in property taxes to pay off pension debt.

-

An increase in the cost of salaries and benefits despite reducing daily minimum staffing from 19 to 17 personnel. The costs will exceed budget by nearly \$300,000. Fire Chief Stephen Healy attributed that to the timing of a staffing reduction plan; personnel on disability and increased staffing on red flag (high fire danger) days.

-

Total general fund expenses are now expected to exceed revenue by \$598,927, which is less than the \$1.3 million deficit projected last year. The district originally projected total revenue of about \$19.3 million and expenses of \$20.5 million.

Directors will also revisit a long-range financial plan created by former administrators that projects

about 15 years of district revenues and expenses.

Unlike previous versions of the financial plan that projected the district's expenses for retiree pension and health care payments, the current plan does not account for those amounts.

Sasser said she removed those figures -- which now total about \$82 million of unfunded liability -- because some of the amounts can vary each year.

The district makes annual payments for the pension debt, but once again does not plan to make its yearly payment for retiree health care debt, which the budget report estimated at \$24 million in 2009, the last year for which figures are available.

"We're drawing attention to the board that we're not saving for this like we should be saving," Sasser said. "We're not doing it because the money is not there. The district should be saving money."

The district is waiting to complete labor negotiations before updating the retiree health care debt figure, Sasser said.

IF you go

The Moraga-Orinda Fire District finance committee meeting begins at 4 p.m. Monday in the Sarge Littlehale Room, at 22 Orinda Way, Orinda.

San Pablo hospital's fight for survival grows more desperate

By Robert Rogers *Contra Costa Times* *Contra Costa Times*

Posted:

Sunday, January 26, 2014
ContraCostaTimes.com

SAN PABLO -- Suffering from a suspected case of Lyme disease, 75-year-old San Pablo cancer survivor Renate Wunderlich seemed as concerned about her hospital's health as her own during a recent visit to the Doctors Medical Center emergency room.

"The joint pain is pretty bad," Wunderlich said, her voice trailing off before moving on to the new topic.

"This hospital isn't really going to close, is it?" she asked Dr. Laurel Hodgson, the lone emergency medicine doctor on duty this night, and other hospital staff. "It can't close."

Like everyone else, Dr. Hodgson doesn't have a straight answer to that question.

Despite two voter-approved parcel taxes in the past decade to keep it afloat, Doctors Medical remains on life support, the victim of a radically changed health care system that has largely stripped public hospitals of their most profitable patients. Doctors Medical could close this year if new funding doesn't materialize soon, and officials warn that the results would be catastrophic for West County -- including predicted emergency wait times of as long as 10 hours if the 41,000-plus annual visits to Doctors' emergency room are diverted elsewhere.

"It's really a matter of life or death," said Eric Zell, chairman of the West Contra Costa Healthcare District, which runs the hospital. "Doctors here at DMC see patients every day who would not otherwise survive."

The hospital, which projects a \$16 million deficit this year, serves as the largest emergency room in West County and a destination for residents of all backgrounds when they suffer heart attacks and strokes, and time is often the difference between life and death, or severe, permanent injury.

DMC leaders say a partnership with a healthier institution is the only viable long-term answer to keeping the facility open, but crafting a deal will take time and depend upon immediate funding to stabilize the hospital's finances.

Hospital leaders and health industry experts also say the Affordable Care Act has exacerbated the short-term funding problems -- by driving down reimbursement rates for Medicare -- but that it could also fast-track the search for a lifesaving partnership. DMC has acknowledged that it is in talks with UC San Francisco Medical Center.

"Across California, there are a number of hospitals that are looking at their future, and particularly at risk are those that are independent, without affiliations with larger systems," said Jan Emerson-Shea, vice president of external affairs for the California Hospital Association. "Hospitals are facing \$23 billion in government payment cuts through 2020, so independent safety net hospitals that don't have the large number of private payers face a huge challenge."

A spokesman for Rep. George Miller, D-Martinez, a key architect of the Affordable Care Act, issued a statement Friday maintaining that the law will be a net benefit for the hospital.

"Congressman Miller is confident that the Affordable Care Act is benefiting San Pablo, North Richmond and the people that Doctors hospital serves, thanks to a number of provisions in the health law that increase low-income coverage and provide DMC and other provider networks with new partnership opportunities that were unattainable prior to the passage of the law," said Peter Whippy.

County Supervisor John Gioia, of Richmond, who also sits on the West Contra Costa Healthcare District's board, said the ACA's emphasis on integrating health care and increasing efficiency could help DMC land a partner.

In the short run, though, the major challenge that has long plagued the hospital won't change: Private hospitals have siphoned away patients with lucrative private insurance plans, leaving taxpayers to foot more of the bill for those who remain.

"It's a tough situation," said Dylan Roby of the UCLA Center for Health Policy Research. "In low-income districts, district hospitals play a dual role; they need to get private insurance patients and also need to provide for the indigent patients that get low reimbursement rates."

If DMC closes, the results would be "catastrophic" to the region, according to a 2011 report commissioned by Contra Costa Emergency Medical Services. The only other emergency room in West Contra Costa is Kaiser Richmond, which has only 15 emergency beds compared with 25 at DMC.

In a twist, the surrounding hospitals that drew away the best-paying customers would be inundated with the ones they left to DMC. Those same hospitals are key to whether DMC can survive in the short term.

"These other hospitals that would be inundated get a tax break for being nonprofit status," Gioia said. "They have stepped up with funds in the past, but the question is whether they will step up now."

Richmond leaders publicly implored Kaiser Permanente at a recent City Council meeting to provide additional funding to DMC; Kaiser said it would consider the request. DMC is also talking about putting another parcel tax measure on the November ballot to complement ones passed in 2004 and 2011 that pump \$10.9 million annually into the hospital.

DMC handles 79 percent of the inpatient capacity, 62 percent of the ambulance traffic and 59 percent of the emergency room care in the region, according to the 2011 Contra Costa EMS report.

But just 12 percent of DMC's patients have private insurance, while about three-quarters are on Medicare or Medi-Cal. Eleven percent of patients are uninsured.

"We have a positive margin on those managed care patients; we just don't have many of them," said Dawn Gideon, DMC's interim CEO.

California drought: Bay Area water districts start asking urban residents to conserve

By Paul Rogers progers@mercurynews.com *Contra Costa Times*
Posted:

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[ContraCostaTimes.com](http://www.contracostatimes.com)

SAN JOSE -- Moving up a decision they planned to make later this spring, the leaders of Silicon Valley's largest water provider, in the face of the worsening drought, will vote Tuesday on a host of new water conservation policies, including a reduction in water use.

The board of the Santa Clara Valley Water District, a government agency based in San Jose that provides drinking water to 1.8 million people, is expected to approve a "preliminary water use reduction target" of 10 percent lower than the county used last year.

"People have been asking me 'When are you guys going to do something?'" said board member Brian Schmidt, who is also an environmental attorney. "I think the public will respond well. All they have to do is step outside and see nothing coming down day after day."

The district also will vote on Tuesday whether to spend \$500,000 to expand a public outreach campaign to urge Santa Clara County residents to conserve water and to broaden programs that provide rebates to residents who install water-efficient appliances and replace lawns with drought tolerant plants. The district has \$5.2 million budgeted this year for conservation programs and \$220,000 for a water conservation campaign.

Schmidt and fellow board member Linda LeZotte have an additional proposal to double spending on rebates.

Technically, the pending vote is a voluntary request for water savings. The district is a wholesale provider that sells water to 13 retailers, including cities like Gilroy and Santa Clara, and private companies like the San Jose Water Company. It will be up to each retail provider to decide whether to go along with the 10 percent goal and how to enforce it, if at all.

Other districts

Santa Clara is the latest Bay Area water agency to call for conservation after 2013 ended as the driest year in California, dating back to 1850. Despite a chance of rain on Thursday, so far, virtually no rain has fallen in January.

The Alameda County Water District, which provides water to 366,000 people in Fremont, Newark and Union City, requested a 20 percent voluntary cutback on Jan. 17.

The Zone 7 Water Agency in Livermore, which provides water to residents of Livermore, Pleasanton and Dublin, also requested a 20 percent voluntary reduction.

And last Tuesday, the Marin Municipal Water District asked for a 25 percent voluntary reduction from its customers. Already, the Santa Cruz Water Department has banned landscape irrigation between 10 a.m and 5 p.m. It also has forbidden the filling of newly installed swimming pools and has ordered restaurants not to serve water unless customers request it. Initial violations get a warning, but after that, fines begin at \$100.

Other large agencies, such as East Bay Municipal Utility District, the Contra Costa Water District and the San Francisco Public Utilities Commission, which operates the Hetch Hetchy system, have yet to set a water reduction target.

Abby Figueroa, a district spokeswoman for East Bay MUD, said the board will hear an update on the water supply from staff on Tuesday and may soon take action.

"In a typical dry year, the decision would have happened in May," Figueroa said. "But all indications are the board is going to make a decision before that."

Cost concerns

Water planners note that February, March and April could still bring large winter storms. Added to that, when they call for water conservation, their agencies sell less water and lose money.

If the Santa Clara Valley Water District's customers meet the 10 percent reduction goal, for example, that would save 36,200 acre feet of water -- roughly twice the capacity of Lexington Reservoir in Los Gatos -- and will cost the agency \$15 million to \$20 million in lost revenue.

Although farmers and ranchers are so far suffering the most, urban residents have largely escaped the drought's impacts. That's because after California's last big drought -- 1987 to 1992 -- most urban water agencies put major conservation programs in place.

Santa Clara County, for example, uses the same amount of water now, about 350,000 acre feet a year, as it did in 1980, even though the population has increased from 1.3 million people to 1.9 million people. Los Angeles and other urban areas have similarly limited water demand through low-flush toilets, lawn replacement programs and other conservation efforts.

Some residents are already off to the races.

Doug Tinney, a retired graphic designer, and his wife, Joyce, started putting a bucket in the shower last week. As they wait for the water to warm, they catch about three gallons each shower.

"I went out and got a 32-gallon plastic garbage can with a lid," Tinney said. "I put it in the side yard. I take the bucket out there and pour it in." That method provides far more water than he needs for his plants. "It's a great feeling to know that we are saving almost 50 gallons a week between the two of us. If you start multiplying that out, that could be millions of gallons of water across the Bay Area."

Paul Rogers covers resources and environmental issues. Contact him at 408-920-5045. Follow him at [Twitter.com/PaulRogersSJM](https://twitter.com/PaulRogersSJM).

After decades of payments, EBMUD may finally use its emergency water supply

By Denis Cuff *Contra Costa Times Contra Costa Times*
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ContraCostaTimes.com

After paying 43 years for a new water supply it has never used, the East Bay's largest water district might finally tap the keg.

Continued dry weather the rest of the rain season would cause shortages permitting the East Bay Municipal Utility District to take an emergency supply of Sacramento River water through a \$900 million delivery project completed three years ago.

The supply from Freeport five miles south of Sacramento could be an ace in the hole to ease shortages and ward off mandatory rationing for 1.3 million EBMUD customers in Contra Costa and Alameda Counties.

The drought relief would come at a price, though. A temporary increase in water bills of \$6 per month per average household would be needed to cover pumping and treatment costs, the water district estimates.

It's too early in the rain season to decide whether it must use the new supply, but EBMUD is preparing the delivery pipes and pumps.

"If we have four or five big storms, we won't need it," said Eileen White, district manager of water supply and maintenance. "But we're priming the pumps in case we do."

The temporary new source would supplement the district's regular supply of high-quality Mokelumne River river piped from the Sierra foothills to Oakland, Berkeley, Walnut Creek, Richmond and other cities in the district.

"We don't want to put all our eggs in one basket," White said.

But it has been a long road to secure the new supply.

The district signed a federal contract in 1970 for the secondary supply from the federal Bureau of Reclamation, and it has paid the bureau \$17 million, required whether or not the water was taken.

Plans for a water delivery pipeline plan were blocked for decades by resistance from Sacramento County and environmentalists.

A truce was reached in 2001 when the East Bay district and Sacramento County agreed on a \$900 million joint project to deliver water to both Sacramento County and the East Bay. EBMUD put up \$460 million as its share.

Under the contract, the East Bay temporarily can take up to 100 million gallons a day of Sacramento River water. The district typically uses about 170 million gallons per day of Mokelumne River water.

There's a catch in the contract, however. EBMUD is eligible to tap the Sacramento River water if in March it forecasts that its reservoirs will have less than 500,000 acre feet of water in the fall.

The seven-member elected water board will make the call whether to take the water.

"If we need the water, I think we should use it to avoid the economic impact that mandatory rationing would have on our customers," said John Coleman, a water board member from Lafayette. "It gives us options. The areas facing the most severe shortages this year are ones that rely on a single source."

Rationing, he said, would hurt consumers and businesses, especially gardeners and landscapers whose jobs depend on irrigated lawns and plants.

EBMUD board President Andy Katz said deciding whether to take the Sacramento River supply depends on the severity of shortages.

"We're fortunate to have the option of using the Freeport water," Katz said "On the other hand, we have to consider the cost to our customers of perhaps \$6 per month per household."

Katz and Coleman said they wish a series of storms would cover the Sierra in a thick blanket of snow.

So far, that hasn't happened. Snow levels measure just 1.6 inches, 9 percent of normal, in the Mokelumne River basin.

Water district staff will present a water supply update at the EBMUD board meeting 1:15 p.m. Tuesday at district headquarters, 375 11th St., Oakland.

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water update

EBMUD staff will present a water supply update at the district board meeting 1:15 p.m. Tuesday at district headquarters, 375 11th St., Oakland.

Struggling fire district to spend \$125K in hopes of generating much more

By Rowena Coetsee *Contra Costa Times Contra Costa Times*

Posted:

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ContraCostaTimes.com

OAKLEY -- East Contra Costa Fire District is wagering \$125,000 in an effort to keep its fire stations open.

The agency's board members agreed this week to spend that sum on a consulting firm that will help them decide the size of a proposed parcel tax as well as deliver the facts about the district's precarious financial health directly to residents' mailboxes.

Board President Joel Bryant voiced the only objections in the 6-1 vote. Another board member was absent and Director Cheryl Morgan abstained.

The San Francisco company, which specializes in crafting ballot measures for local governments, will consider alternate ways of structuring the tax. Instead of assessing a uniform fee on each of the 43,769 parcels in the district, for example, it might recommend a tax that varies depending on whether there's a single-family home, apartments or a business on the property, fire Chief Hugh Henderson said.

In response to those who question the need for consultants, he notes that the district's administration consists of just him and a secretary, who don't have the time to handle the design, wording, printing and mailing of multiple fliers.

Although the district is struggling to keep its five remaining stations open -- money troubles have forced the closure of three others since summer 2010 -- Henderson says \$125,000 won't cover the salary and benefits for even one rank-and-file firefighter.

This push to get a parcel measure approved is the second go-round for the district, which spent \$120,000 on consultant fees in an unsuccessful attempt two years ago.

The \$197 annual tax was considerably higher than what the board is considering this time, however, because it was intended to reopen a station as well as add a paramedic to each engine, Henderson said.

By contrast, this proposed tax will be used only to preserve the status quo, he said.

"We're not asking to become bigger. We're trying to maintain the bare minimum amount of service," Henderson said.

Exactly how much the tax will be and how long it will remain in effect might not be decided until Feb. 24, when the board will vote whether to put the measure on the June ballot.

In nailing down the dollar amount, directors are taking into consideration the additional revenue that rising property values will generate as well as projected increases in the number of parcels in the district.

Although their focus now is on a parcel tax, district officials have explored other ways to alleviate, if not solve, the agency's woes.

One possibility is working with cities and the county to establish additional community facilities districts.

Although there's only one subdivision in East Contra Costa Fire's service area where homeowners are paying fees for fire protection in addition to property taxes, Henderson said the board might pursue similar arrangements as new developments are built.

Other approaches haven't panned out.

East Contra Costa Fire contacted half a dozen fire agencies last year to see if any of them would be willing to provide services on its behalf only to discover that such a contract actually would be more costly, Henderson said.

Some critics have argued that the district should bring back volunteer firefighters to supplement its manpower, but directors decided that the obstacles to laypersons responding quickly in emergencies coupled with the cost of insuring and training them made this idea impractical.

Meanwhile, East Contra Costa Fire is making ends meet using a two-year federal grant, which is filling a \$3.2 million gap between revenue and expenses this fiscal year.

The district's 48 firefighters have both gained and lost ground since the money was awarded. Although they received a 2.5 percent pay hike in July -- their first in six years -- they now are paying more for smaller retirement benefits.

Before July 1, the district was paying 4.5 percent of employees' share in addition to its own contribution toward pension costs; now firefighters must pay their full share, which amounts to roughly \$1,000 to \$2,000 per month depending on how old they were when they were hired, Henderson said.

Monthly salaries range from \$4,190 for an entry-level firefighter to \$7,343 for a seasoned battalion chief.

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CONTRA COSTA TIMES

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HEALTH CARE CHANGES

Hospitals face a challenging new landscape

Facilities pressured to reduce costs, improve quality of care they provide

By Tracy Seipel

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The new federal health care law is giving millions of uninsured Americans health coverage — and many of them are expected to get longdelayed surgeries and seek other crucial medical care.

So why are some hospitals up for sale or desperately seeking to align with others?

One reason is that the health law pressures hospitals to reduce costs and offer better value through new rules that reward them more for the quality of care they deliver than for the number of patients they treat.

“If hospitals cannot adapt and play under the new rules,” said Maribeth Shannon, a director at the California HealthCare Foundation, “it will be a challenge for them to survive.”

Just this month in the Bay Area, the financially strapped nonprofit Daughters of Charity Health System, based in Los Altos Hills, announced it will sell its six hospitals — four in the Bay Area and two in Los Angeles. And last week, UCSF Benioff Children’s Hospital and Children’s Hospital Oakland formally linked arms to help broaden their services and cut costs. In October, Sutter Health transferred ownership of the beleaguered San Leandro Hospital to the Alameda Health System. Perhaps most notably, the health care law signed by President Barack Obama in March 2010 imposes significant cuts in hospital reimbursements for Medicare — about \$155 billion nationwide from 2010 to 2020. The approximately 400 general acute care hospitals in California stand to lose about \$17 billion, according to the California Hospital Association.

The law also reduces Medicare payments to hospitals that report excessively high rates of avoidable readmissions within 30 days of discharge for patients who were treated for heart attacks, heart failure or pneumonia. Next year, Medicare reimbursements also will be reduced at hospitals where patients picked up an infection that lengthened their stay. The Affordable Care Act, also known as “Obamacare,” also encourages doctors and hospitals to form “accountable care organizations.” These networks of providers — including primary care doctors, specialists, hospitals and home health care services — work together to coordinate patients’ care.

It’s a different health care model than the “fee-for-service” system that exists in the U.S. today — in which economic incentives are built around providing more treatments, not fewer. The new

system is similar to Kaiser Permanente's model, which coordinates the work of its primary care physicians, specialists, hospitals, pharmacies and laboratories. The end-to-end experience for patients enables Kaiser to improve the quality of care and find efficiencies that reduce costs. "When you move to those kinds of models — as Kaiser has done so successfully — where you handle many patients on an outpatient basis, you reduce the need for patient hospitalization," said Mark Laret, CEO of UCSF Medical Center and UCSF Benioff Children's Hospital. Jim Moloney, a managing director at Cain Brothers, a New York-based investment bank that focuses exclusively on the medical services industry, put it this way: "The benefit of the (Affordable Care Act) is that now those people, ideally, will get access to primary care and other lower-cost early services where they are treated early, before they have to go to an emergency room." The law also encourages states to expand their Medicaid programs for the poor — called Medi-Cal in California — to cover any uninsured U.S. resident who doesn't earn enough to buy a private plan on the new health insurance exchanges. Since Oct. 1, California has signed up at least 584,000 new Medi-Cal recipients. While the Medicaid expansion will increase the number of patients with health coverage, Medicaid payments are still much lower than reimbursement rates from private insurers.

So the decision by the Daughters of Charity to sell its six hospitals didn't surprise Laret. That's because "safety net" hospitals like these often treat a disproportionate number of low-income and Medi-Cal patients. With Medi-Cal payment rates so low, Laret said, "many hospitals have just not been able to make it." Last week's "affiliation" between the children's hospitals, in the works for two years, will help both UCSF Benioff and Children's Hospital Oakland, where Medi-Cal patients make up 50 percent and 70 percent of the business, respectively. The affiliation will enable them to coordinate their services for children among physicians in both systems and save money through buying supplies in bulk, while streamlining services such as accounting, billing and human resources.

Moloney, Shannon and others said the health care law will also accelerate the years-long trend of moving more medical care from hospitals to less-expensive satellite facilities, such as outpatient or surgical care centers, where new technologies reduce the need for inpatient hospital procedures.

Said Wanda Jones, a veteran Bay Area health care consultant: "We cannot look on the hospital anymore as the centerpiece of health care."

Staff researcher Leigh Poitinger contributed to this report.

California drought: 17 communities could run out of water within 60 to 120 days, state says

By Paul Rogers progers@mercurynews.com Contra Costa Times

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ContraCostaTimes.com

As California's drought deepens, 17 communities across the state are in danger of running out of water within 60 to 120 days, state officials said Tuesday.

In some communities, wells are running dry. In others, reservoirs are nearly empty. Some have long-running problems that predate the drought.

The water systems, all in rural areas, serve from 39 to 11,000 residents. They range from the tiny Lompico County Water District in Santa Cruz County to districts that serve the cities of Healdsburg and Cloverdale in Sonoma County.

And it could get a lot worse.

"As the drought goes on, there will be more that probably show up on the list," said Dave Mazzera, acting drinking-water division chief for the state Department of Public Health.

Most of the affected water districts have so few customers that they can't charge enough money to pay for backup water supplies or repair failing equipment, leaving them more vulnerable to drought than large urban areas.

The state health department compiled the list after surveying the more than 3,000 water agencies in California last week. The list will be updated weekly, Mazzera said.

State health officials are in discussion with leaders of other agencies, including the state Office of Emergency Services and the Federal Emergency Management Agency, to work on immediate solutions, he added. Those could include everything from trucking in water to the health department providing emergency funds for drilling new wells or connecting faltering systems to other water systems.

A similar list of vulnerable communities was compiled during California's last drought, which lasted from 2007 to 2009. But the current drought is more severe. Less rain fell in 2013 than in any year since California became a state in 1850.

Even though some rain is forecast for Thursday, major storms are desperately needed this winter and spring to replenish depleted reservoirs, rivers and the Sierra Nevada snowpack -- which on Tuesday stood at 14 percent of normal.

"This is a statewide drought. This is a serious drought," Bill Croyle, director of the state Drought Task Force, said Thursday. "It's all hands on deck."

Croyle, an official with the state Department of Water Resources, made his remarks at a meeting of the Delta Stewardship Council, a state board of water experts.

Asked by board member Hank Nordhoff, a San Diego businessman, where the water will come from to bail out small systems, Croyle said he's working on it.

"You are going to get it wherever you can get it," he said.

Retorted Nordhoff: "That's a frightening reply."

Croyle cited the possibility of new pipe connections to other water systems and trucking in water.

"On the Central Coast, they have in the past looked at desalination," he added. "So if we lose our groundwater and surface water, we are going to go to the ocean. It is going to be expensive, but you bring in mobile plants and fire them up."

Since California's last major drought, which ran from 1987 to 1992, most major urban areas have spent millions of dollars to store water underground, fund conservation programs, build new reservoirs and construct wastewater recycling plants. As a result, their residents are feeling little effect so far.

On Tuesday, the San Francisco Public Utilities Commission announced a voluntary 10 percent cutback for its 2.6 million customers in San Francisco, San Mateo, Santa Clara and Alameda counties. Similarly, the Santa Clara Valley Water District has requested a 10 percent voluntary cutback. Others, like the Contra Costa Water District and the East Bay Municipal Utility District, have not yet asked customers to meet conservation targets.

The story is different in many rural areas.

Lompico County Water District, in the Santa Cruz Mountains near Felton, has long-standing water supply issues and is exploring a possible merger, but so far has been stymied by nearly \$3 million in needed upgrades -- a hefty bill for the district's 500 customers.

"We have been unable to take water out of the creek since August and well production is down, and we didn't have that much water to begin with," said Lois Henry, a Lompico water board member.

Henry said she hopes the state comes with funding to help the agency find more reliable water. The district could soon have to begin trucking in water, she said.

"I'm frankly worried," Henry said. "I know people turn their faucet on and say, 'Oh, everything's fine.' And I know it's not."

In Cloverdale, where 9,000 Sonoma County residents draw their water from four wells, low flows in the Russian River prompted the City Council last week to put in place mandatory 25 percent rationing, which includes a ban on lawn watering. The city raised water rates 50 percent to put in two new wells, which should be completed by July, said City Manager Paul Caylor.

"Hopefully," he said, "we'll be able to get through the summer and the development of this project will pay off."

Santa Cruz Sentinel reporter Jason Hoppin contributed to this report. Paul Rogers covers resources and environmental issues. Contact him at 408-920-5045. Follow him at [Twitter.com/PaulRogersSJMN](https://twitter.com/PaulRogersSJMN)

San Pablo: Doctors Medical Center board approves tax measure, parking lot lease deal

By Robert Rogers Contra Costa Times San Jose Mercury News

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ContraCostaTimes.com

SAN PABLO -- Doctors Medical Center's governing board on Wednesday authorized a parcel tax mail-in ballot election in May and agreed to lease a portion of its parking lot to a casino for \$5 million, two moves that could avert closure this year and make the long-struggling hospital more attractive to potential partners.

The West Contra Costa Healthcare District board of directors, which owns and operates the hospital, voted unanimously to ask district voters to approve a parcel tax of 14 cents a square foot, which would raise about \$20 million per year. The parcel tax, which would be the third approved by district voters since 2004, requires two-thirds voter approval.

The board also agreed to a 20-year lease of a portion of its parking lot outside the cancer center to the Lytton Casino, its neighbor to the south, for \$5 million in cash. The funding allows the hospital to keep its doors open long enough to see whether the tax passes.

"\$5 million gives us the liquidity necessary to get us to the parcel tax," interim CEO Dawn Gideon said.

The vote authorizes a special mail-in ballot election due May 6, DMC spokeswoman Remy Goldsmith said.

Reeling from yawning gaps between costs and revenues, in need of partnerships and unable to tap state or county funds, the board declared a fiscal emergency for the hospital in November.

Gideon has said the hospital has been hemorrhaging \$1.5 million per month for the past two years and faces a \$19 million deficit in the current year's budget, a crisis that requires deep cuts, new funding streams and partnerships with other hospitals to avert closure.

Even if voters approve a new parcel tax, the hospital also needed millions in bridge funding to survive into the summer. The lease deal with the casino staves off the possibility of immediate closure.

Hospital leaders are in talks with other area hospitals, including Kaiser Permanente, for additional funding.

DMC, which opened in 1954, serves mostly uninsured and underinsured patients, and has long been considered an important safety net for West County residents. It is the leading source of hospital care for the area's Medicare and Medi-Cal patients.

A recent county report said that if DMC closes, emergency room waiting times in the area would drastically increase.

The proposed parcel tax would expire and cease collection if DMC closes. The hospital employs nearly 1,000 workers.

Gideon said the parcel tax would make it more likely that the hospital could merge with a larger

system. Talks with UC San Francisco Medical Center have been ongoing for months.

But this year, the parcel tax is a necessity, Gideon said, as the hospital continues to run huge deficits.

"The community that established this hospital is the community that has to save this hospital," Gideon said.

Only one member of the public spoke at Wednesday's meeting, and that person was opposes the tax.

"You can't continue to come back to try to raise money on the backs of business and homeowners," said Marilynne Mellander, a longtime El Sobrante resident.

The parcel tax would cost an owner of a 1,500-square-foot home about \$210 annually, according to staff figures. Previous taxes passed in 2004 and 2011 pump \$10.9 million annually into the hospital.

Leasing the parking lot to the casino would force workers and patients to park in other parts of the property, and off site. Gideon said free valet services would be available to patients.

DMC contains 25 of the 40 emergency room beds in West County, said County Supervisor John Gioia. A county report in 2011 said wait times and ambulance ride times would be drastically increased if the hospital closed.

"Even if you are a Kaiser patient, if you have a heart attack or a stroke, you come here," Gioia said.

Contact Robert Rogers at 510-262-2726 or [rfollow him at Twitter.com/sfbaynewsrogers](https://twitter.com/sfbaynewsrogers).

Moraga-Orinda firefighter contract talks at impasse

By Jennifer Modenessi Contra Costa Times San Jose Mercury News

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ContraCostaTimes.com

MORAGA -- After four years of contract negotiations, talks between the Moraga-Orinda Fire District and the union representing the district's 59 firefighters and firefighter-paramedics have reached an impasse.

Moraga-Orinda Fire District governing board President John Wyro confirmed Wednesday that the board and union are deadlocked, and said the impasse was "another step in the process."

District officials didn't elaborate, but union leaders expect to go through a legal fact-finding process in which a state panel will speak with both sides.

In a news release, district officials said they had hoped to reach an agreement and avoid impasse.

However, financial challenges -- specifically the district's general fund balance, said fire Chief Stephen Healy -- brought about the impasse.

MOFD is borrowing from its capital fund to keep its general fund solvent. District officials say those capital funds could dry up during fiscal year 2016-17. The expired union contracts, they add, consume 91 percent of the fire district's general fund revenue.

The union -- United Professional Firefighters of Contra Costa County Local 1230 -- received a letter Tuesday from the district declaring the impasse.

Contract talks with firefighters and firefighter-paramedics started in 2010; health care benefits and cost-of-living salary increases have since remained frozen.

Union President Vince Wells said Wednesday that the district had presented firefighters with two offers that include salary cuts.

According to the union, the first proposes a 7.5 percent across-the-board base salary cut effective July 1, and no salary range changes in fiscal year 2015-16. That contract would expire June 30, 2016.

A second "last, best and final proposal" suggests across-the-board pay cuts of 9.5 percent for a short-term contract lasting through June 30, 2015, if an agreement on the first proposal couldn't be reached.

The district also proposes health care changes the union argues would create a disparity between active employees' and retirees' benefits.

"We believe that before a decision was made to cut salaries and benefits of the firefighters, other options should have been pursued," said Wells, who asserts firefighters' compensation isn't the problem.

Under the expired existing contracts, the district continues to pick up 77 percent of employee medical benefits. Employees have continued to pick up the remaining 23 percent plus yearly contribution increases, Wells said.

The district also proposes a new job classification for single-role paramedics, who would replace 12 firefighter-paramedic positions vacated through retirements, attrition or other employment separations. The paramedics would receive less pay and a different retirement benefit formula through the county retirement system, according to the union.

Wells said the union proposed extending the expired contracts for another two years. It also proposed no raises, and said firefighters would continue to pick up their portion of the health care benefits, including the increases.

In the meantime, firefighters can't strike, but union leaders fear the district could choose to impose a contract. "We're at the mercy of the district," Wells said.

The district would prefer not to impose a contract, said Healy, adding that no service cuts are on the horizon, either.

Tough fight looms for new tax to support San Pablo hospital

By Robert Rogers Contra Costa Times Contra Costa Times
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SAN PABLO -- The only ones who can save Doctors Medical Center are the voters of the health care district that owns the hospital.

The question is whether they will be willing to tack another special tax onto their already lengthy list of property assessments, to the tune of about \$20 million annually.

"There is clearly voter tax fatigue in West County," said Contra Costa County Supervisor John Gioia, of Richmond, who plans to campaign hard for a new tax to save the hospital. "We have our work cut out for us."

The West Contra Costa Healthcare District board of directors, which owns and operates the hospital, voted last week to ask district voters to approve a parcel tax of 14 cents a square foot. That works out to \$168 annually for a 1,200-square-foot house and \$280 for a 2,000-square-foot home, and it would come on top of the \$99 per year that property owners already pay in parcel taxes to fund the hospital. The tax requires two-thirds voter approval.

The tax would expire only if the hospital and its emergency room are closed, according to the resolution the health care district passed authorizing the measure.

Without the tax, DMC officials say the hospital will close, depriving West County of its largest emergency room and drastically increasing wait times at other area hospitals.

"I believe that voters will support the tax measure if they understand that the option is (hospital) closure and the consequences that come with that," Gioia said.

While taxes vary across the roughly 250,000-resident West Contra Costa Healthcare District, years of voter-approved taxes have added up.

On a 1,200-square-foot house in Richmond assessed at \$210,000, for example, a homeowner faces about \$4,100 in various taxes annually.

On top of the 1 percent of assessed value countywide tax, or \$2,100, the example homeowner pays nearly \$2,000 in special taxes and other local assessments.

The biggest single source of taxes is the West Contra Costa Unified School District, which gets more than \$700 annually from the owner of the \$210,000 house thanks to a series of bonds and parcel taxes passed since 2000, mostly to fund new school construction.

Parcel taxes approved in 2004 and 2011 already generate nearly \$11 million annually for the health care district. Including the district's share of the county's value-based property tax, district property owners provide about \$13.8 million in total funding annually to DMC, according to figures provided by hospital spokeswoman Remy Goldsmith.

Goldsmith said the district had hoped the 2011 parcel tax would lead to a partnership that would close the remainder of its \$20 million budget gap, but those talks led nowhere.

"... it was made clear to us that no other hospital or hospital system would affiliate with DMC if it meant assuming a large annual deficit," Goldsmith said in an email.

Contra Costa County is the fourth-highest property tax county by percentage in California, according to Propertytax101.org, a watchdog website, and West County might even be higher than the county average.

"Independent districts that tax are really numerous in Contra Costa County," said Alex Aliferis, executive director of the Contra Costa Taxpayers Association. "The average homeowner is feeling the pinch."

Aliferis said his group was still researching the proposed Doctors Medical Center tax and had not made a decision whether to endorse or oppose it.

But the latest proposal, whose fate will be decided in a mail-in ballot to be sent out 30 days before a May 6 election, dwarfs the previous taxes passed.

The tax, as written, would amount to 14 cents per square foot of all developed structures, excluding residential car ports, and would generate almost twice as much as the two previous hospital parcel taxes combined.

In previous campaigns for DMC parcel taxes, pro-tax forces have relied on Kaiser Permanente and John Muir Medical Center to fund political communication. Gioia said those groups will be appealed to again this time.

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East Contra Costa: Survey results might upend East Contra Costa Fire District's plan for parcel tax

By Rowena Coetsee, rcoetsee@bayareanewsgroup.com Contra Costa Times

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OAKLEY -- The negative results of a recent survey might upend East Contra Costa Fire District's plans to place a parcel tax measure on the June ballot, which would all but ensure station closures and layoffs.

Board members were dismayed Monday to learn that of those constituents likely to vote in June, only 54 percent are willing to pay more for fire protection and medical aid -- significantly fewer than the number the cash-strapped agency needs to maintain its current level of service.

United Professional Firefighters of Contra Costa County's Local 1230 hired a polling firm to call 300 district residents last month to see whether the same level of anti-tax sentiment that sunk a previous attempt at a parcel tax still exists.

"We were hoping that the board would consider that and work on other options," Local 1230 President Vince Wells said. "If we put all this time into (the June parcel tax measure) and it fails, that's four more months wasted."

After reviewing the numbers, the consultant the district has hired to help inform the public about what's at stake agreed that the chances of a tax measure succeeding don't look good.

"It's risky to think we could get to two-thirds," said Charles Heath, district consultant, of the approval rating that a parcel tax must have to pass. "I do not think you can make up a 13 percent deficit between now and June."

Even after factoring in the margin of error, the most the district could hope for is 60 percent, he said.

Heath suggested that the board instead consider postponing the election until November when more people typically go to the polls or pursue another revenue-generating method that requires only a simple majority to pass.

But Fire Chief Hugh Henderson and some board directors acknowledged that to wait could create other problems.

Time is of the essence because the two-year federal grant that has kept the district afloat will expire in November. Unless the agency can come up with the money to offset that loss, officials say it probably will have to close two of its remaining five stations and lay off firefighters.

East Contra Costa Fire used to have eight stations but shuttered two in summer of 2010. The failure of a parcel tax in 2012 by a 56.2 percent margin forced the district to close three more before receiving a grant that enabled it to reopen two of them.

The district's precarious situation already is taking a toll, Henderson said.

"I'm concerned about the morale of staff," he said, noting that three of his 48 firefighters already have applied for jobs with other agencies.

Board President Joel Bryant noted that if the district held off an election until November, its proposal would be competing with other tax measures on the ballot. Multiple requests for money could prompt voters to reject all of them, he said.

But even if a parcel tax were to pass then, it wouldn't show up on people's property tax bills until August 2015 and it would be another four months before the district would start receiving any revenue, Henderson said.

Where the agency would find the approximately \$4.4 million it needs during that intervening year is uncertain, he said.

"Any way you slice it, it's bad," Henderson said.

Board members voiced disappointment that the district's efforts to convey the urgency of its situation haven't garnered more support for the tax.

"I'm so frustrated I could spit!" said Bob Kenny, a board director.

The seven informational meetings that East Contra Costa Fire held last month to explain its position and the tax it was considering were sparsely attended.

Moreover, 40 percent of those polled in the union's survey indicated that they were opposed to any tax.

"For whatever reason, this community is not getting behind the district. It's beyond frustrating," said Director Greg Cooper.

Board Vice President Ronald Johansen was incredulous that people would shoot down a tax that would cost them around \$98 a year -- or about 26 cents per day.

"Twenty-six pennies a day and we're fighting tooth and nail. I'm just shocked by this," he said.

Oakley Councilwoman Diane Burgis agreed.

"Twenty-six cents is nothing when you need that service," she said.

Some thought that voters' opposition might be because firefighters are doing such a good job despite the district's limited means.

"My guys are busting their asses, and that's why the public thinks they're getting an adequate level of service," Wells said.

Discovery Bay resident and retired firefighter David Piepho suggested that the board start closing stations right now and transfer those firefighters to the remaining ones, noting that the sight of empty firehouses might be what it takes for the district to get its point across to apathetic voters.

"Let the public feel what it's like," he said.

He didn't get any argument from Kevin Graves, a member of the town of Discovery Bay's board of directors.

"People aren't going to feel (the district's financial troubles) until it affects them personally," he said.

In the end, board members rallied around Director Greg Cooper's suggestion that the district conduct its own survey while continuing to prepare the paperwork required for a June election.

They unanimously agreed to have the consultant send a mailer with a response card attached to every one of the district's approximately 44,000 parcel owners asking how they'd vote on a tax.

Depending on the results, the board will decide at its March 3 meeting whether to put the matter on the ballot.

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Contra Costa Times editorial: Exorbitant West Contra Costa hospital tax won't solve the problem

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The issue is not whether West Contra Costa residents should try to keep the region's busiest emergency room open -- the question is, at what cost?

The West Contra Costa Healthcare District is asking voters to approve another property tax to rescue Doctors Medical Center in San Pablo. This one would more than triple the current charge for the typical homeowner, bringing the total to \$309 a year.

This would be a permanent tax, with no sunset, even if the hospital merges with, or is acquired by, another health care system. Indeed, the tax is intended solely to bolster the hospital's cash flow to make it a more attractive takeover target.

This isn't the solution -- not at this price. It's throwing good money after bad.

This is the third time hospital officials have gone to the tax well. In 2004, voters approved a \$52 parcel tax. In 2011, with our support, hospital officials convinced voters to add another \$47, for a total of \$99.

Now, in a mail-in ballot scheduled for May, comes a proposal for a 14-cent-per-square-foot tax. Fourteen cents doesn't sound like much until you do the math. For a 1,500-square-foot home, that's another \$210 per year, more than twice the previous two taxes combined.

In 2011, we urged district officials to work quickly to find a permanent solution before this year, when projections showed the district would run out of money.

That day has come. There has been no progress in 2 1/2 years. District officials are still talking about the savior hospital with which it can merge. Meanwhile, it's hemorrhaging money and going deeper into debt.

The hospital now loses roughly \$20 million a year, even with the two current tax measures. Worse, to keep the hospital afloat since 2011, the district borrowed \$40 million. The money's gone, but the loan won't be paid off until 2042.

It's time for district residents to cut their losses. Even if the district finds a partner, it would have to go back to voters again for another tax to fund construction of a new hospital because the current one is not earthquake safe.

Most of the hospital's services can be provided elsewhere. The concern -- and it's a big one -- is the loss of the emergency room. Without it, residents will be forced to drive farther when they need lifesaving help.

They'll wind up at other facilities that, like Doctors Medical Center currently, must, and should, accept them, regardless of their ability to pay. Maybe then those hospitals will cooperate in finding a long-term, cost-effective solution rather than continuing to ignore the problem.